FINAL EPA NY PPA

SEPTEMBER 1997

ACKNOWLEDGMENTS

This Performance Partnership Agreement has been developed with the extensive input of personnel from the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH), and the Environmental Protection Agency Region 2 (EPA).

The document was prepared by members of NYSDEC, NYSDOH, and EPA Region 2 staff. These members are listed below. Their dedication to the considerable task of developing goals, indicators and performance measures for New York's drinking water and water quality, as well as to the negotiation process involved in reaching this Agreement, is gratefully acknowledged.

NYSDEC's Performance Partnership Members
N.G.Kaul, Dan Campbell, John Middelkoop, Italo Carcich, Bob Cronin, Phil DeGaetano, Warren Lavery, Fred Nuffer, Richard Draper, Jay Bloomfield, Robin Warrender, Libby Smith, Kevin Roberts, Fred Van Alstyne, Frank Estabrooks, John Zambrano, Simon Litten, Jeff Myers, Jack Ryan, Lucinda Collins, John Harmon (DMR), Pat Riexinger (F&W), and Bob Davis (EFC).

NYSDOH's Performance Partnership Members
Al Wakeman, Michael Burke, Ron Entringer, Charlie Hudson, and Jack Hotaling.

U.S. EPA - Region 2
Kathleen Callahan, Kevin Bricke, Conrad Simon, Dennis Santella and Adolph Everett (Coordinators), Bob Hargrove, Walt Andrews, Mario Delvicario, Laura Livingston, Pat Durack, Pat Harvey, Dore LaPosta, John Kushwara, Steve Gould, Jane Leu, Felix Locicero, Phil Sweeney, Dan Montella, Benita Best-Wong, Bob Gill, Donna Somboonlakana, Bruce Kiselica, Doug McKenna, Joel O'Connor, Susan Schulz, Terry Faber, Alice Yeh, Barbara Spinwebber, Chris Dere, Mark Tedesco, Maureen Krudner, Rick Balla, Seth Ausubel, Bob Nyman, Harvey Simon, Palma Risler, Helen Ferrara, Bea Sharrock, and Ellen Heath.

DOCUMENT AVAILABILITY, ADDITIONAL COPIES AND COMMENTS
This document will be made available at EPA's World Wide Web site. The Web site address is: http://www.epa.gov/regional/pps/docs.htm. Additional copies of this document may be obtained by contacting NYSDEC's Division of Water at 518-457-1622. Comments on this agreement document, including its environmental goals, indicators and performance measures are welcomed. They may be submitted to:

Leila Shader Division of Water New York State Department of Environmental Conservation 50 Wolf Road Albany, NY 12233-3508 (518) 457-1622	Michael E. Burke Bureau of Public Water Supply Protection New York State Department of Health 1215 Western Avenue Albany, NY 12203-3313 (518) 458-6731	Dennis Santella Division of Environmental Planning and Protection USEPA Region 2 290 Broadway New York, NY 10007-1866 (212) 637-3746

SFY 1997/98 ENVIRONMENTAL PERFORMANCE PARTNERSHIP AGREEMENT BETWEEN NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, NEW YORK STATE DEPARTMENT OF HEALTH, AND ENVIRONMENTAL PROTECTION AGENCY REGION 2

We are pleased to enter into this SFY 97/98 Environmental Performance Partnership Agreement which represents our effort in the new National Environmental Performance Partnership System (NEPPS). This Agreement describes our shared agenda for continued environmental progress in the State of New York and our expectations for the State/federal relationship.

By signing this Agreement, the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH), and EPA Region 2 agree to utilize the philosophies and strategies embodied in the NEPPS process. We anticipate that this Agreement will serve as a sound basis for guiding our program performance for SFY 97/98. It is also expected that the environmental goals, environmental indicators and agency commitments embodied in this Agreement will be refined over time as this landmark environmental management approach is informed by our mutual experiences and our stakeholder input.

The execution of this Agreement comes at a time when a need exists to become more results-oriented in our reporting measures while also being held accountable to our stakeholders and their needs. We believe that this Agreement takes a significant step in this direction.

The bulk of the Agreement represents those activities agreed to between NYSDEC and EPA Region 2. NYSDOH public water supply protection and related activities for SFY 97/98 are also reflected in the Agreement. The scope of this agreement is limited to the water quality programs described in the body of the agreement. As such, this Agreement will serve as NYSDEC/ NYSDOH/ EPA Region 2's joint performance plan for the resource areas of water quality for SFY 97/98.

New York State Department
of Health

_____
Barbara DeBuono
Commissioner

_____
Date

New York State Department of
Environmental Conservation

_____
John P. Cahill
Commissioner

_____
Date

U.S. Environmental
Protection Agency, Region 2

_____
Jeanne M. Fox
Regional Administrator

_____
Date

EXECUTIVE SUMMARY

In accordance with the National Environmental Performance Partnership System (NEPPS), the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH) and the U.S. Environmental Protection Agency, Region 2 (EPA) have agreed to enter into a Performance Partnership Agreement (PPA) for state fiscal year (SFY) 1997/98 to implement water-based programs and initiatives. The overall goal of this PPA is to assess, protect and enhance the quality of the surface water bodies and groundwater sources available to the State of New York, through efficient management of State and federal resources.

NYSDEC, through its Divisions of Water, Fish and Wildlife, and Mineral Resources, administers the majority of federal Clean Water Act base programs and community-based environmental protection (CBEP) initiatives throughout the State. NYSDOH, through its Center for Environmental Protection, is entrusted with protecting the State's public drinking water supply, and directly manages the key related programs authorized through the federal Safe Drinking Water Act. EPA's role is to oversee the implementation of State-authorized programs, provide technical and analytical support for State-authorized programs, and to directly implement non-authorized programs, in most cases with State assistance. This PPA reflects the mutual understandings reached between the three parties for program implementation and extent of oversight.

In recent years, we recognized that many of the water quality problems remaining to be solved will require a level of analysis and pollutant control going well beyond the traditional concepts of technology-based limits, supplemented with water quality-based requirements for traditional point sources. Storm water runoff, combined sewer overflows, and nonpoint source contributions must be factored into our analyses. In addition, we must now conduct case-by-case analyses of the impacts of point and non-point source discharges on ambient water quality. These geographic- and pollutant-specific analyses are essential in designing sensible plans that communities throughout New York State can afford and are willing to support.

The challenge to the State and EPA, is, therefore, clear:

> Most of the progress that we've made to date has been the result of base programs implemented uniformly on a state-wide basis; these programs must be maintained or we will regress.
>
> However, further progress will require geographic- and pollutant-specific efforts to supplement these base programs; we must direct resources to support these important regional and local efforts.

This PPA is an attempt to strike the proper balance between these two approaches. The PPA is, therefore, built on two principles:

First, we need to maintain efficient and effective base programs in the State; and

Second, we need to do more, as necessary, to solve the particular problems, in particular places, that have not, or cannot be satisfactorily addressed through the implementation of base programs alone.

Our preferred approach to doing more, as necessary, is Community-Based Environmental Protection (CBEP) -- environmental protection that involves all the major stakeholders with an interest in solving a problem in developing and implementing the plan to solve that problem. We're particularly interested in CBEP projects that address the problem of disproportionate burdens on low income or minority communities.

The PPA includes a self assessment of each base program and CBEP initiative, and lists the activities negotiated between the agencies to occur during SFY 1997/98, including the programmatic indicators selected to measure their effectiveness. Also included in the agreement are: a section reporting on progress made toward achieving the commitments made in the SFY 1996/97 PPA; a section on public involvement is provided to list the planned activities targeted to enhance public awareness and solicit comment on water-based programs and projects, and the PPA process; a section on fiscal accountability is provided to explain the federal financial resources available to the State during SFY 1997/98.

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NYSDEC/NYSDOH/EPA Performance Partnership Agreement

Section I - Introduction

I.A. Overview of the National Environmental Performance Partnership System

The New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH), and the US Environmental Protection Agency (EPA), Region 2, have agreed to enter into a cooperative partnership for the purpose of protecting and enhancing the water resources of New York State for the benefit of the citizens of the State. While NYSDEC, NYSDOH and EPA Region 2 have always worked cooperatively to protect New York's water resources, the National Environmental Performance Partnership System (NEPPS) provides an enhanced opportunity for the State and EPA, as partners, to develop a Performance Partnership Agreement (PPA), that establishes priorities, direction, and accountability for water resource management in New York.

The NEPPS process was established in a May 17, 1995 agreement between EPA and the Environmental Council of States. This process recognizes that the State should serve as the primary agent to deliver and manage its own programs. It also recognizes that EPA's role is evolving from one of oversight of the federally supported programs to a partnership whereby EPA and the State work together to solve environmental problems in New York. Since all three agencies are accountable to the public, the partnership established in this PPA ensures an open decision making process between the agencies and a role for public involvement in identifying and addressing the environmental issues. Prior to this NEPPS approach, the State and the EPA developed an annual strategic plan. In this process, the State and EPA jointly determined priorities, goals, and directions for water quality protection. Both the State and the EPA see NEPPS as a logical step in our long cooperative working relationship. In addition, this process is an opportunity to identify other partners that are willing to join forces to protect and enhance New York's water resources.

While the State and the EPA view the program as a continuation of our current cooperative efforts, our roles will change. The EPA's level of detailed review and approval of State program activities will significantly decrease. As further evidence of the benefits from a true partnership, EPA will provide the necessary flexibility to State programs where needed and will carry out activities that complement State actions to achieve these program objectives. EPA will direct additional Regional resources, in the form of technical and financial assistance, policy development, and technical/scientific information toward these objectives by targeting program activities and discretionary resources to meet State water quality management program needs.

The purpose of this SFY 97/98 PPA is to set forth mutual understandings reached regarding the desirable outcomes, the performance expectations, the State/federal relationships, and the oversight agreements between the parties. The direction and goals for this partnership program

have been set out in this document. The Agreement lists the surface water and groundwater programs that exist in New York State and delineates the work that various parties have agreed to perform in these program areas. These parties include:

NYS Department of Environmental Conservation
- Division of Water
- Division of Fish and Wildlife
- Division of Mineral Resources

NYS Environmental Facilities Corporation

NYS Department of Health

US Environmental Protection Agency, Region 2

Concurrent with this effort to establish a Performance Partnership Agreement, the NYSDEC is also seeking a Performance Partnership Grant (PPG) in the water quality area. Federal legislation allows a number of water quality management grants, currently awarded by the EPA, to be combined into a single PPG which will afford the State greater flexibility to address its highest water quality management priorities, and we expect, should result in administrative and programmatic savings.

Drinking Water State Revolving Fund (DWSRF) grants may not be included in a PPG. With regard to the (DWSRF) program, this PPA reflects a general understanding between EPA Region 2 and NYSDOH for DWSRF program implementation. However, it is important to note that the DWSRF Final Guidance requires workplans for the set-aside activities at a level of detail beyond what is included in the PPA. Although separate workplans will be required, both EPA Region 2 and NYSDOH believe that it is appropriate to include general set-aside activities in the PPA so that this document presents a complete picture of the entire State water program. EPA Region 2 will work with NYSDOH to determine the content of these separate workplans, including the requirements for the 4 percent administration set-aside.

I.B. Strategic Approach

In 1972, we recognized that it wasn't practical to base our clean-up efforts on case-by-case analyses of the impact of discharges on ambient water quality. Thus, we embarked on a successful program of issuing and enforcing permits for municipal and industrial discharges relying primarily on technology-based effluent guidelines. In recent years, we recognized that many of the water quality problems remaining to be solved will require a level of analysis and pollutant control going well beyond the traditional concepts of technology-based limits, supplemented with water quality-based requirements for traditional point sources. Storm water runoff, combined sewer overflows, and nonpoint source contributions must be factored into our analyses. In addition, we must now conduct case-by-case analyses of the impacts of point and

non-point source discharges on ambient water quality. These geographic- and pollutant-specific analyses are essential in designing sensible plans that communities throughout New York State can afford and are willing to support.

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Several factors will be considered in determining the lead agency for CBEP projects. For example, EPA will generally act as co-lead with the State for CBEP projects for the major interstate and international boundary waters in the State, and in the few additional instances where EPA has a statutory or programmatic mandate. The State will generally act as lead on additional priority intra-state waters. In addition, EPA and the State will seek expressions of interest from sub-state governmental or non-governmental entities in taking the lead for still other waters.

I.C. Generic Provisions

I.C.1. Federal Enforcement

A program that ensures continuing compliance with the network of national and state environmental laws and regulations is necessary to protect human health and the environment. New tools and approaches to compliance are available that focus on risk to human health, communities and sensitive ecosystems, while sustaining a strong economy. These new strategies include increased compliance assistance for the regulated community, particularly small business, encouragement of self-reporting, voluntary compliance programs, and dispute resolution. Underlying these new approaches is a continuing foundation of strong enforcement where required, with penalties that are commensurate with the violations and that prevent violators from benefitting economically from their non-compliance. The State (meaning for the purposes of this agreement, NYSDEC and/or NYSDOH as appropriate) and EPA agree on the need to maintain a system in New York State based on the above principles.

Under federal programs that are delegated to the State, NYSDEC and NYSDOH, will continue to assume the lead in enforcement and compliance in the State of New York , supported as appropriate by technical and/or legal assistance from EPA. EPA would only take enforcement actions in New York State for these delegated programs as appropriate. EPA will consult with the State prior to the initiation of enforcement actions to ensure coordination of enforcement activities. There may, however, be emergency situations or criminal matters that require EPA to take immediate action (e.g., seeking a temporary restraining order); in those circumstances EPA will endeavor to consult with the State as quickly as possible following initiation of the action. Specific circumstances under which a federal enforcement action may be appropriate include:

Where the State requests enforcement assistance;

Where the State has failed to take “timely and appropriate” action;

In criminal matters, including, but not limited to, cases where warranted by limits on State capacity or resources;

In cases involving nationally violative corporations;

Where interstate pollution problems exist, such as those associated with watersheds and estuaries;

Where regional or national enforcement priorities (such as industry sectors) are involved;

Where programs are not delegated, only partially delegated, or non-delegable; and,

Where actions to prevent non-complying companies from obtaining an economic

advantage over their competitors are needed, thereby maintaining a "level playing field" throughout the country.

I.C.2. Delegation Agreements and Statutory/Regulatory Requirements

There are numerous federal EPA water programs currently delegated to the State. The parties will work together whenever there are major changes to relevant federal or State statutes or regulations to ensure that each delegated State program remains equivalent to the federal program.

There are specific State products that under federal statute or regulation require federal approval (e.g., revisions to water quality standards). The parties will work together to ensure that the federal role in approving such products is preserved.

I.C.3. National Data System Maintenance

The State commits to support the maintenance of EPA's national data bases supporting the water programs listed in this document. Particular attention will be given to assuring the quality of the data in the systems.

I.C.4. Staff Sharing

Appendix 3 (currently under review) is a Memorandum of Agreement between NYSDEC and EPA Region 2 to share staff resources in order to meet our overall programmatic and community-based environmental protection responsibilities in an efficient and effective manner.

I.D. Document Organization

In order to establish a Performance Partnership Agreement, the State must assure the EPA and the public that it will continue to successfully carry out its responsibilities. The partnership program calls for the State to:

undertake an environmental and programmatic self-assessment, identifying program strengths, weaknesses, and opportunities for improvement.

identify the action plan for maintaining and improving the State's surface and ground water resources, detailing specific actions and approaches the State proposes to take in the coming year.

identify and select appropriate environmental and program performance indicators.

assess its basic fiscal accountability.

identify other stakeholders and potential partners willing to join forces to protect and enhance New York's water resources.

share with the public, information about environmental conditions, goals, priorities, and prior year's achievements.

In addressing the above elements, the rest of the Performance Partnership Agreement is organized as follows:

Section II contains an environmental and programmatic self-assessment.

Section III contains individual long-term program direction and strategies for all elements of the base program and for all identified community-based environmental protection efforts.

Section IV identifies the agreed upon indicators of success, both environmental and programmatic, and reflects the actual commitments associated with this PPA for SFY 97/98. In addition, it reports on the accomplishments from April 1, 1997 - September 30, 1997.

Section V discusses fiscal accountability.

Section VI discusses the public involvement program.

Section VII discusses the process for reporting success.

APPENDICES

1. Glossary of Acronyms

2. Ambient Water Quality Information

3. Draft Staff Sharing Memorandum of Agreement

4. Indicators and Measures of Progress for the SFY 96/97 PPA for the Period April 1, 1996 - September 30, 1996

Section II - State Self Assessment

NYSDEC

As a requirement of the Performance Partnership Agreement and as a routine step in practicing good management, the State (NYSDEC, NYSDOH and NYSEFC) looked at the current state of the water environment and its surface and groundwater protection programs. This self assessment is reflected from three different perspectives. The first is an assessment of the overall health (ambient water quality) of the water resources in NYS. This information comes from a previously published document entitled "New York State Water Quality 1996; Submitted Pursuant to Section 305(b) of the Federal Clean Water Act", published by the State in May of 1996. Summary tables of the ambient water quality information are located in Appendix 2.

The second assessment is a program by program review, looking at each program's strengths, weaknesses and the opportunities to strengthen it over the next several years. The programmatic self assessments will identify the immediate or short term actions that we plan to take in the upcoming year. A more detailed plan of action for the year is included in Section III: Strategic Plan.

The last assessment is for the specific Community-Based Environmental Protection (CBEP) initiatives. These specific CBEP initiatives have been selected to go into this agreement because the EPA and/or the NYSDEC DOW have identified the specific resource as a priority, and a local partner(s) or stakeholder(s) has expressed a willingness to commit its own resources to assist in protecting or enhancing the resource. Here we also look at the strengths, weaknesses and opportunities to strengthen each individual CBEP initiative. Again, a more detailed plan of action for the initiative is presented in Section III: Strategic Plan.

NYSDOH

NYSDOH developed programmatic self assessments for its lead programs (i.e., drinking water state revolving fund, public water system supervision, and source water protection). NYSDOH followed the format of the second assessment discussed above; i.e., looking at its strengths, weaknesses and the opportunities to strengthen it over the next several years. A detailed joint NYSDOH/EPA Region 2 action plan for NYSDOH lead programs is provided in Section III: Strategic Plan.

II.A. Environmental Assessment

II.A.1. New York State Ambient Water Quality

The water quality in New York State has significantly improved over the twenty-four years since the Clean Water Act became law. During this time period many problems have been solved, through focus on point source controls, relying on technology guidance and regulations, and using program grants efficiently. Appendix 2 contains tables from the New York State Water

Quality 1996 305(b) report that provides specific information on the ambient water quality progress that has been achieved in New York State. The following are brief statements taken from that 1996 305(b) report that highlight successes that have been achieved and problems that remain.

Overall Use Support

Ninety-three percent of New York's rivers and streams fully support their designated uses, six percent partially support their designated uses.

Forty-seven percent of New York's lakes, ponds, and reservoirs fully support their designated uses, 51 percent partially support their designated uses.

Seventy-two percent of New York's tidal bays and estuaries fully support their designated uses, 11 percent partially support their designated uses.

Fifteen percent of New York's Great Lakes coastal waters fully support their designated uses, 85 percent partially support their designated uses.

Ninety-eight percent of New York's ocean coastal waters fully support their designated uses.

Water Quality Trends

The 1993 NYS DEC report 20 Year Trends in Water Quality of Rivers and Streams in New York State documented water quality improvement due to point source control. A comparison of the macroinvertebrate (aquatic insect) communities at 216 sites across the state during the period 1972-1992 found evidence of a water quality improvement at 38 percent of the sites, no change at 58 percent, and a decline at 4 percent (eight sites). Eighty-seven percent of the sites which showed improvement were attributed to improved treatment of municipal and/or industrial waste. Of these, the ten most significantly improved sites were all attributed to improved point source treatment. There were no obvious reasons for the change in water quality at the eight sites which had an apparent decline, although several appeared to be due to natural fluctuations in flow. Further investigation is needed.

The Division of Water published a report in 1995 which documented trends in water quality at nineteen (19) sites on major rivers throughout New York State.[1] Conventional pollutant parameter data, such as nutrient and dissolved oxygen data, revealed some notable improvements in water quality at some Routine Network sites over the past thirty years. The most dramatic results were those for ammonia nitrogen and, at some sites, dissolved oxygen.

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[1] NYSDEC Division of Water. 1995. Trends in Water Quality of Selected Rivers in New York State Based on Long-Term Routine Network Data.

Ammonia concentrations at all Routine Network sites generally fell below 0.25 mg/l. This represents a reduction of about fifty percent (50%) over the past thirty years. Thirteen of fifteen sites (four sites had insufficient data to determine the presence of a trend) showed some reduction in ammonia. The most notable decreases occurred at the Buffalo River, Delaware River, Upper Hudson in Corinth, Mohawk River in West Schuyler, and Lower Hudson in Glenmont sites. The greater decreases at these sites were due, in part, to the exceptionally high ammonia concentrations found during early sampling years.

Nitrate concentrations remained fairly stable during the period of record. Small increases in the nitrate concentration at some sites are likely the result of the conversion (oxidation) of ammonia nitrogen. Generally, concentrations of nitrate in the ambient waters of New York State fall below 1 mg/l.

Total phosphate concentrations remained fairly stable over time. However, significant decreases occurred at a few locations. Most notable are the downward trends at the Oswego River, Niagara River, and Upper Hudson in Waterford sites. Phosphate concentrations throughout the network generally fell below 0.15 mg/l.

Dissolved oxygen (percent saturation) measurements also reflect improving water quality at the Routine Network sites. The most striking increases occurred at the Buffalo River, Genessee River, Mohawk River in West Schuyler, and Lower Hudson in Glenmont sites. As is the case with ammonia trends, the increasing dissolved oxygen trend is more pronounced due in part to very low measurements during the early years of monitoring. Presently, dissolved oxygen values for all Routine Network sites fall between 75 and 110% of saturation.

Sources and Causes of Water Quality Impairment

Industrial and municipal point sources are relatively minor sources of water use impairment, and their impact on water quality has diminished significantly in the past 20 years. It has been estimated that in 1972, approximately 2,000 miles of river and streams were impaired by point sources. Today, approximately 300 miles are impaired by point sources.

Nonpoint sources of toxic and conventional pollutants are the major contributors to water quality impairment. They account for 93 percent of river impairment, 86 percent of lake impairment, 62 percent of tidal waters impairment and 96 percent of Great Lakes impairment.

Approximately 500 river miles, 150,000 lake acres, and 300 square miles of estuary and 500 miles of Great Lakes shoreline are significantly affected by toxic pollutants. Contaminated bottom sediments cause a major portion of this water body use impairment. Several local dredging projects have been undertaken to remove contaminated sediments. Several others are in the planning process or being held pending resolution of disposal issues. Dredging is

only a viable option where the affected areas are relatively small. It would not be practical, for example, to address lake-wide problems in Lake Ontario.

Toxic organic contamination has affected 312 wells or springs with a combined total capacity of 417 million gallons per day. Many of these wells have been reopened or operate under restriction, but 121 on Long Island and 39 upstate remain closed or have been permanently abandoned. These represent about 3 percent of the state's 5,500 public water supply wells.

Acid precipitation impairs water use in 80 miles of rivers and streams and 397 lakes and ponds with aggregate area of nearly 18,000 acres, about 2 percent of the state's total lake area. It is estimated that 69 to 86 percent of the acid deposition affecting New York's waters originates outside of the state.

Agriculture is the most frequently cited nonpoint source of water quality impairment in New York's rivers, lakes, and reservoirs, contributing excess nutrients and silt. Nutrients cause excessive weed and algae growth which can impair the use of the water for boating, swimming, fishing, and water supply. Silt causes excessive turbidity which impairs swimming, fish propagation, and water supply uses.

Hydrologic/habitat modification is also a frequently cited source of water quality impairment in rivers and lakes. This category includes a variety of activities that change the nature of a stream corridor or wetland area such as changes to the bed and banks of a stream, dredging or filling of wetlands, and removal of riparian vegetation from stream banks. Flow regulation is the most common subcategory. Surface impoundments can cause detrimental effects both upstream and downstream of a dam. Water level fluctuations within the impoundment disturb fish habitat. Changes in downstream flow conditions also affect fish survival and spawning.

Urban runoff is cited as the primary nonpoint source of water quality impairment in New York's bays and estuaries. Urban runoff is contaminated with silt, pathogen indicator bacteria, petroleum products, heavy metals, and oxygen demanding substances. Pathogen indicator bacteria from urban runoff and other sources including boats, point sources, water fowl and on-site disposal systems has caused the closing of about 200,000 acres (sixteen percent) of the potential shellfishing beds in the New York City-Long Island region.

Nutrients from municipal point sources have been determined to be a major cause of hypoxia in Long Island Sound. Control measures have been recommended and are being implemented.

The prime causes of impairment, contaminated bottom sediments and other nonpoint sources for surface waters; petroleum products and commercial solvents in groundwater are refractory. Improvement will require simultaneous implementation of remediation and pollution prevention programs. Substantial governmental and private resources must be

committed. However, the weak economy continues to make resource commitment difficult. Indeed, maintenance of existing water programs is a problem.

Water Quality Programs

Over 97 percent of New York's permitted EPA major publicly-owned treatment works and major industrial wastewater treatment facilities are in substantial compliance with their SPDES discharge permit requirements. Over 94 percent of these facilities have current, unexpired permits.

Programs are underway to solve the more serious of New York's remaining water quality problems. Remedial action plans have been completed for four of the six Great Lakes Areas of Concern, and some remedial actions have already been undertaken. Work is underway on the other two. Special conferences have resulted in the development of management plans for Onondaga Lake and Lake Champlain. A management plan is in place for Long Island Sound, and a plan will soon be adopted for the New York-New Jersey Harbor. Work is also underway on a plan for the Peconic River/Bay estuary complex.

In the past 16 years, New York has conducted 26 lake management and restoration projects on public lakes using Federal Clean Lakes Program funding. In addition, since 1983, NYSDEC has also supervised nearly 80 additional lake projects financed with nearly 10 million dollars of state funds.

Toxic chemical inputs to the Niagara River from point sources have been reduced by 85 percent from a total of 2,740 pounds per day in 1981-1982 to 410 pounds per day in 1993-1994. Based on expectations of remedial actions at hazardous waste sites along the Niagara, it is anticipated that nonpoint source loadings will similarly be reduced by over 80 percent by the end of 1996.

Special Concerns

The wastewater treatment infrastructure which has been responsible for the significant improvement in water quality over the past 25 years is now approaching the end of its useful life. If these facilities are allowed to degrade without necessary maintenance and replacement, these gains in water quality will be lost, and the remaining sources of water quality impairment will become insignificant when compared to the newly recurring sources. An indicator of the overall magnitude of this concern is provided by the 1992 Needs Survey Report to Congress which estimated that more than 10 billion dollars of capital construction were necessary to meet secondary and advanced treatment needs in New York State. This estimate does not include additional monies required to rehabilitate aging collection systems.

Snapshot of New York State's Waters 1996

Water Resources

THE SOURCE

Average precipitation in New York State: 90 billion gallons per day (bgd), or 40 inches per year. Of this, one-half (45 bgd) is returned to the air by evapotranspiration from land and water. Approximately 27-31 bgd run off into surface waters and eventually, out to sea. Fourteen to 18 bgd seep into and recharge the groundwater supply. Some of the water in the ground flows into rivers and streams.

WHERE THE WATER OCCURS

State Area: 49,576 square miles
Major Drainage Basins: 17

On the Surface

Rivers and streams: 52,337 miles
Rivers bordering other states and Canada: 448 miles
Great Lakes shore: 577 miles
Number of lakes*/ponds/reservoirs: 7,849 (790,782 acres)
(*does not include Great Lakes)
Volume of surface waters: 22,164 billion gallons
Volume of reservoir storage capacity: 4,074 billion gallons
Atlantic shore (linear): 120 miles
Estuaries/bays/harbors (includes NY portion of L.I. Sound): 1,530 sq. miles
Freshwater wetlands: 2.4 million acres
Tidal wetlands: 25,000 acres

Under the Ground

Percent of New York State land underlain by sand and gravel aquifers: 11.2%
Percent of New York State land underlain by primary public water supply aquifers: 3.9%

Eighteen primary water supply aquifers are identified in upstate New York. A primary aquifer is an underground soil or rock formation that yields enough water to be used as a major municipal water supply. The Long Island aquifers currently yield about 350 million gallons a day. Principal aquifers are also productive formations, but which are not intensively used for municipal water supply.

How the Water is Used

Surface water withdrawals account for 88% of all freshwater withdrawals in New York State. 15% of the total is withdrawn from the counties (Delaware, Sullivan, Schoharie, Greene and Ulster) that contain the six reservoirs that supply the majority of water to New York City. Groundwater withdrawals account for 12% of all freshwater withdrawals in New York State. Long Island relies almost entirely on groundwater, as do certain other areas throughout the state. Many community water supply systems use at least some groundwater. Approximately one third of New York State's population depends on groundwater.

Water use estimates in million gallons per day (mgd)*

Withdrawals	Amount	% of Total
Public Supply	2,910 mgd	15.4
Agriculture	54	0.3
Industrial (Self-Supplied)	274	1.5
Commercial (Self-Supplied)	61	0.3
Fossil Fuel Power	12,600	66.6
Nuclear Power	2,830	15.0
Domestic (Self-Supply)	120	0.6
Mining	62	0.3
TOTAL	18,911 mgd	100%

Consumptive Use (water not returned to drainage basin due to evapotranspiration, incorporation in products, or other processes)

	Amount	% of Total
Public Supply	318 mgd	40.1
Agriculture	49	6.3
Industrial (Self-Supplied)	60	7.7
Fossil Fuel Power	253	32.3
Nuclear Power	87	11.1
Mining	17	2.2
TOTAL	784 mgd	99.7%

THE COMMUNITY SERVED

State Population (1990 census): 17,990,455
Number of Community Water Supply Systems: 3,210
People served by Community Systems: 16 million
New York State population supplied:
by surface water - 11.6 million
by ground water - 4.3 million

Number of Counties: 62
Number of Towns: 932
Number of Cities: 62
Number of Villages: 553

Community supply systems withdraw, treat and distribute water for domestic, municipal, commercial and some industrial uses. Community water supply systems serve 89% of the state's population. The largest 235 systems supply water to 95% of the people served by community systems. People not served by community systems are self-supplied; virtually all withdraw water from their own wells. State and local water conservation programs work to reduce the demand on New York State's precious water supplies.

(* Water use estimates are from USGS publication *1990 Estimated Use of Water in the U.S.*)

Protecting Water Quality

CLASSIFICATION AND STANDARDS

Waterbodies are officially classified according to one or more of the following uses: drinking, swimming, fish propagation or fish survival. The classification process considers flow, existing water quality, and past, present and desired future uses of the water and adjacent lands. Then standards are set for chemical, physical and biological factors to ensure the water quality necessary for waterbodies to maintain the classified best uses. Permit limits are set considering the stream standards to ensure that wastewater effluents will not degrade receiving waters, impairing use.

Water Quality Statistics: As reported in DEC's current *Priority Water body List*, water quality problems are divided into four categories. When a use is **precluded**, a use is not possible, e.g. swimming is banned by local health departments. The use **impaired** category applies where a use cannot be fully met, e.g. fishing is possible, but consumption is restricted. It is also employed when the designated use is supported, but at a level significantly less than would otherwise be possible. A water body is **stressed** when a water quality problem is evident, but impairment is not clearly demonstrated. A **threatened** status applies where water quality is presently supporting designated use and ecosystems show no obvious signs of stress, but where changing land use may result in water quality problems.

Water Quality Statistics for NYS: as reported in the *Priority Water body List*

Total Size of Water Quality Problem Segments by Water body Type

	Degree of Use Support				
River Miles	Fully Supported	Threatened	Stressed	Impaired	Precluded
	48,844	1,292	2,229	960	304

	Degree of Use Support				
Lake/ Reservoir Acres*	Fully Supported	Threatened	Stressed	Impaired	Precluded
	370,457	34,527	108,979	292,335	19,011

* Does not include Lake Ontario at 3560 sq. miles (2.3 million acres), all of which is under fish consumption advisories, or New York's portion of Lake Erie.

	Degree of Use Support				
Bay and Estuaries Square Miles	Fully Supported	Threatened	Stressed	Impaired	Precluded
	1106	2	12	150	262

	Degree of Use Support				
Ocean Shore Linear Miles	Fully Supported	Threatened	Stressed	Impaired	Precluded
	117	0.00	0.00	0.00	3

	Degree of Use Support				
Great Lakes Shore Miles	Fully Supported	Threatened	Stressed	Impaired	Precluded
	84	0.00	70	423	0.00

MONITORING

The Division of Water conducts intensive studies of chemical and biological water quality in each drainage basin on a 6 year cycle.

BACKGROUND ON WATER POLLUTION

The primary way New York State fights pollution is by preventing the release of possible pollutants to air, land and water. Prevention is accomplished through regulation, technical assistance, education and voluntary action. Cleanup, or remedial action is the much more costly and technically difficult alternative necessary to restore areas impacted by past pollution. NYSDEC continues to develop a multi-media pollution prevention program to address pollution problems comprehensively.

PREVENTING POINT SOURCE POLLUTION

Point source water pollution comes from a distinct location or point, such as a sewer or factory pipe. The most common point sources are municipal wastewater treatment works and industries. Some private, commercial and institutional facilities such as laundromats and hospitals individually discharge wastewater.

The DOW regulates point source discharges through a permit program called "SPDES" (State Pollutant Discharge Elimination System). SPDES permits limit the amounts and concentrations of pollutants in wastewater and are written to assure that water quality standards are met. To control pollutant concentrations, some source owners are required to pretreat wastewater before discharging it to a sewer system. Operators of wastewater treatment works are trained and certified by DEC. Approximately 90% of the state's wastewater treatment facilities are in sustained compliance with their SPDES permit requirements. Today, industrial and municipal point sources are relatively minor sources of water use impairment. Their impact on water quality has diminished significantly since the passage of the Clean Water Act in 1972. It has been estimated that in 1972, approximately 2,000 miles of river and streams were impaired by point sources; currently that figure is about 300 miles.

	1993	1996
Point Sources		
Total Number of SPDES permits	8,798	8,850
Point source discharges to surface water	3,434	3,523
Point source discharges to groundwater	5,364	5,327
Municipal:		
POTWs [Public-Owned (sewage) Treatment Works]	583	593
POTWs requiring pretreatment programs	93*	93*
(*covered by 57 USEPA approved local programs and 17 DEC mini programs)		
Number of active certified wastewater treatment plant operators in New York State	3,276	3,858
Industrial:		
Total number of permitted industrial sources	1,604**	1,637**
Number of significant[1] permitted industrial sources	1,027**	1,014**
[1](a major facility or one that handles toxic substances) (**includes petroleum remediation facilities)		
Private/Commercial/Institutional (P/C/I)		
Total number of permitted P/C/I sources	6,611	6,620
Number of significant[1] permitted P/C/I sources	276	268

PREVENTING NONPOINT SOURCE POLLUTION

In contrast to distinct point sources, nonpoint sources (NPS) are diffuse, coming from an area or from scattered locations. Cumulatively, they contribute significantly to water quality degradation. Nonpoint sources include: atmospheric deposition; eroding streambanks or road cuts; leaching landfills; leaking underground storage tanks; runoff from construction sites, mines, highways, cities and agricultural fields; and resuspension of contaminated sediments from the bottoms of lakes and rivers. Because they are diffuse, nonpoint sources are difficult to control. The Division of Water works to prevent NPS pollution, primarily

through a program of voluntary compliance to encourage people to curb runoff, prevent erosion and properly manage potential pollutants.

Nonpoint sources are the major contributors to water quality impairment, accounting for 87% of river impairment, 86% of lake impairment, 62% of tidal waters impairment, and 96% of Great Lakes impairment. More than 150,000 acres of open marine waters and 200 miles of estuarine waters are affected by nonpoint source pollution.

A Nonpoint Source Coordinating Committee was created in 1990 to coordinate nonpoint source efforts and to review water quality needs and proposed projects. The committee is made up of representatives from state and federal agencies who are directly involved in nonpoint source pollution programs. County Water Quality Strategies, authorized by the Nonpoint Source Water Pollution Control Act of 1989, have been developed and are currently being implemented to address nonpoint source pollution problems at the local level. DEC is providing support from state and federal funds for locally-based NPS implementation projects; over the past two years, nearly $4 million has supported more than 90 such projects around the state.

Flood Prevention

Each year, floods endanger lives, drive people from their homes and cause property damage. The Division of Water works with local governments to obtain federal flood control projects and to qualify for federal flood insurance.

Flood Protection Projects

Local projects: 84
Federally constructed flood control dams: 6
Damages prevented: over $2 billion since 1943

Floodplain Management Program

Total number of flood-prone communities: 1,485
Floodplain population: 1,429,200

Coastal Erosion Program

Number of municipalities
with coastal shorelines: 235
Number of shore protection projects: 45

Dam Safety Program

Total number of dams: 5,598
Number of dams with sizable

All information in Snapshot 1996 is based on current DEC statistics

communities below them: 375

II.A.2. Conclusion of Ambient Water Quality Self Assessment/Environmental Goals

It is apparent that the progress made in water quality improvement by focusing on point source controls has been significant. We now need to address nonpoint source pollution problems and in-place toxics, while maintaining the current degree of compliance and success of our point source control programs. The specific steps that we will take in order to achieve these goals are identified in Section III: Strategic Plan.

II.B. Self Assessments

II.B.1. Base Programs

II.B.1.a. Underground Injection Control[2]

Strengths:

Professional working relationship between EPA staff and NYSDEC Division of Mineral Resources (DMN) staff.

Weaknesses:

DMN not always copied on EPA correspondence, permits, etc.

No mechanism for coordinating the scheduling of field inspections for regulated wells and facilities.

Overlapping regulatory responsibilities for Class II and Class III wells.

Opportunities to Strengthen:

Class II Wells:
DMN will develop an assessment of regulatory responsibilities for both the EPA and DMN programs with EPA input. The assessment will highlight areas of overlapping jurisdiction and areas not adequately addressed by either program.

Class III Wells:
Within three months of the commencement of this agreement, DMN will request and obtain comments from the EPA on DMN's 1996 solution mining regulatory assessment.

[2]Program identified is the state program and not the Federal equivalent UIC Program. NYS has not been delegated the UIC Program.

By the end of this agreement, DMN and EPA will develop a Draft MOU to address program implementation based on DMN's 1996 solution mining regulatory assessment and EPA's comments on the assessment. The MOU will be finalized during the next (98/99) agreement.

II.B.1.b. Groundwater Management

Strengths:

The DEC has established groundwater protection goals (Part 703 standards and guidance values TOGS), a groundwater classification system (GA, GSA, GSB), and an aquifer classification system (primary, principal).

The DEC has established a baseline wellhead protection program for the entire State; programs have been initiated with regional and county planning department support in most areas of the State; protection programs, in part through delegation, are very strong in key groundwater areas (Long Island); an important regulatory tool is available to water suppliers through DOH (watershed rules and regulations).

Response and remediation programs are well established for both hazardous wastes and petroleum. Other prevention programs for major sources (bulk storage, solid wastes, pesticides, discharges, nonpoint sources) are well established.

A strong regional network is established through DEC regional offices, regional planning agencies, county agencies (including County Water Quality Coordinating Committees) and other agencies.

Weaknesses:

Mapping of important aquifers at a scale useful for program interpretation and application is not complete.

Groundwater quality data have not been adequately summarized, new data are not systematically entered into an integrated information system.

GIS for groundwater resources is not complete for all systems.

Wellhead protection programs are not developed, for all systems (especially non-municipal and non-community wells);

The groundwater-related information systems of the different DEC programs are not completely integrated.

Opportunities to Strengthen:

Storage of, and access to, hydrogeologic data (e.g., aquifer distribution) needs to be strengthened. Published maps should be examined to determine whether they should be digitized for use in the GIS, and existing ground water data should be consolidated and organized as a first step in setting priorities for the acquisition of new ground water quality data.

Priorities should be set for areas warranting new mapping efforts. This may be based upon the aquifer classification system.

The Wellhead Protection Program should be integrated with Source Protection/Watershed Management Programs. A State/local Wellhead Protection Coordinating Committee should be convened to address water supplier/community concerns, watershed rules issues and the integration of the program with source protection/watershed management.

Technical assistance should be increased to the water supply permit program.

Opportunities to strengthen information systems, organization of data and acquisition of new quality data, new mapping efforts and re-evaluation of the aquifer classification system will not be pursued now due to shortage of funds to implement them. We will concentrate on efforts whose implementation is somewhat short term in nature and will produce results more quickly. We will concentrate on providing technical assistance to the water supply permit program. We will convene meetings of an advisory committee (Wellhead Protection Coordinating Committee) to address concerns of water suppliers and of communities.

Successful Class V well notification system in DEC Region 3 will be expanded to other DEC Regions.

Priority Areas to Strengthen in 97/98:

The two priority areas to strengthen in 1997/1998 are in the categories of groundwater assessment and groundwater management.

First, in the category of groundwater assessment, the Department should continue to explore opportunities to integrate groundwater quality assessment with watershed assessment for inclusion in the state's 305b water quality summaries. It should also continue to improve its GIS capabilities so that aquifer and groundwater information is more accessible to state and local programs and the public.

Second, in the category of groundwater management, the Department should continue to coordinate groundwater-related programs consistent with the principles of the Comprehensive State Groundwater Protection Program (CSGWPP). Priority should be

placed on improved coordination between the Wellhead Protection and Water Supply Permit Programs of DEC with the Source Water Assessment and Protection Programs of DOH. Priority should also be placed on coordination with the Environmental Remediation Programs and the State Management Plan for Pesticides.

II.B.1.c. Surface Water Quality Management

Strengths:

DEC surface water quality management efforts rely upon an active program of monitoring, assessment, and planning activities to manage water quality in New York State. The Rotating Intensive Biological Surveys (RIBS) program forms the basis for the preparation of the 305(b) water quality report which includes a complete listing of water segments not fully supporting their intended uses.

New York State continues to operate a technically sound TMDL/WLA program driven by preparation of the biannual 303(d) lists of waters for which the development of TMDLs/WLAs/LAs are needed.

New York State has completed the reclassification process for 14 of 17 drainage basins.

New York State's water quality standards and criteria contain many standards for toxic substances.

State of the Lake Reports and Management Plans will be completed during this year for Chautauqua Lake, Upper Saranac Lake and Otsego Lake, using CWA Section 314 funding. Local stakeholder involvement is strong in development of Lake Management Plans. DEC has made a commitment to funding implementation of selected Lake Management Plans using money from the State's Clean Water-Clean Air Bond Act.

New York State submitted for EPA's review and decision 18 TMDLs public noticed for reservoirs in the New York City Watershed on January 31, 1997.

Weaknesses:

New York State's reclassification effort has not been completed for the St. Lawrence, Lake Champlain, Lower Hudson DEC Region 3 and Marine Waters of DEC Region 2.

The triennial and GLI reviews of water quality standards have been combined for reasons of efficiency. Completion has been delayed due to magnitude and complexity of both reviews.

Opportunities to Strengthen:

There is a need to complete the reclassification of water bodies for the Lake Champlain, St. Lawrence, Lower Hudson River (Region 3) Drainage Basins, and Marine Waters of Region 2.

In SFY 97/98 emphasis will be placed on completing the reclassification effort and the triennial and GLI review of water quality standards.

The development of lake management plans ("The Pilot Watershed Project") will be expanded in a cooperative program with the Federation of Lake Associations (FOLA). Six lakes of varying sizes and other characteristics (types of problems, geographic location, etc.) will be selected for management plan development. The effort will be designed to allow other communities to use the individual projects as templates to develop a management plan for their specific lake. DOW also intends to use resources to begin development of a management plan for the largest lake wholly within the State: Oneida Lake.

*Priority Areas to Strengthen in 97/98***:**

The FOLA pilot watershed project will be a main focus during 97/98.

Develop, public notice, respond to comments and submit TMDLs for Onondaga Lake and the Long Island Sound, to EPA for review and decision during SFY 97/98.

Develop, public notice, respond to comments and submit to EPA the 1998 303(d) list by April 1, 1998.

II.B.1.d. National Pollutant Discharge Elimination System

Strengths:

Even in the face of diminishing resources the NYS National/State Pollution Discharge Elimination System (N/SPDES) program stays focused on the most environmentally significant dischargers through proven, logical processes such as the permit issuance prioritization of the Environmental Benefit Permit Strategy (EBPS) and compliance assurance/enforcement prioritization through the Water Integrated Compliance Strategy System (WICSS). This has resulted in sustained high N/SPDES compliance rates among EPA major discharges in NYS and minimal impact by point sources on best use attainment within the State's receiving waterbodies.

Weaknesses:

The reality of diminishing resources and demands of regulatory reform makes it impractical

to issue site-specific/specialized NPDES control mechanisms to all surface water discharges. Diminishing resources also make it impossible to perform comprehensive on-site inspections and reconnaissance inspections at every significant N/SPDES facility during the year or perform detailed oversight/audit of every local approved pretreatment program.

Permit development guidance is in need of revision to address phased TMDLs, pollution prevention principles, analytical detection issues and source reduction of BCCs.

Growing Pretreatment Program demands in both areas of local program development and implementation have not been met by corresponding increases in State and Federal funding support.

Opportunities to Strengthen:

The DEC will expand the use of the categorical general N/SPDES permit approach to insure regulatory control over discharges of less-significant environmental impact. DEC will review/refine inspection/surveillance guidance (TOGS) to insure a more performance-based inspection coverage at facilities needing the most regulatory attention. DEC will prioritize on-site Pretreatment Inspections/Audits based on review of pretreatment reports in coordination with EPA.

EPA and DEC should continue to pursue funding bases for Pretreatment Program activities. DEC will evaluate SPDES permit requirements for targeted parameters (such as settleable solids) to insure compatibility with the intent of revised National SNC criteria.

In accordance with the Government Performance and Results Act pilot project for CSO's, EPA and the State will coordinate the development of certain tracking measures and collection of relevant information to demonstrate progress in the CSO program. NYSDEC will continue to assist EPA in this effort and will provide available information to EPA to meet the first reporting date of April 30, 1997.

NYSDEC will evaluate EPA's "Interim Guidance for Performance-Based Reductions of NPDES Permit Monitoring Frequencies" and will consider whether the guidance may be useful to the State in future efforts to establish appropriate monitoring conditions in SPDES permits, or in establishing policies related to monitoring requirements.

Priority Areas to Strengthen in 97/98:

Produce revised guidance (TOGS) for performance-based facility inspection coverage.

II.B.1.e. Wetlands Program

II.B.1.e.1. Freshwater Wetlands

Strengths:

The New York State Freshwater Wetlands Program has a number of strengths as follows: 1) our regulatory maps are used to inform staff and the public of the location of regulated wetlands; 2) we regulate a 100-foot adjacent area around mapped wetlands; 3) a wide variety of activities occurring in and adjacent to wetlands are regulated under the law; 4) wetlands program staff members are located in each of nine regional offices throughout the State; 5) the wetlands program authority can be assumed by capable local governments; 6) there is a wetland classification system in place.

Weaknesses:

Weaknesses of the program include the following: 1) the maps contain numerous inaccuracies; 2) amendment of the regulatory maps requires a cumbersome and costly process including notification of each affected landowner; 3) the law has an outdated definition of wetlands that differs from the federal definition; 4) exemptions to regulation exist, 5) not all wetlands are regulated; 6) not all activities occurring in and adjacent to wetlands are regulated (i.e. subdivisions), 7) there is not enough staff to keep up with the program workload; 8) reducing the incidence of violations and enforcement of the law is often difficult.

Opportunities to Strengthen: (General Implementation Strategy)

Some of the opportunities to strengthen the program include the following ongoing and upcoming initiatives: 1) regulatory reforms to streamline and improve the permitting process; 2) reduction of regulatory duplication through State programmatic general permits issued by the Corps of Engineers; 3) improved partnerships with the various State, federal and private agencies involved with wetlands (i.e. the mitigation banking agreement with NYSDOT); 4) development of water quality standards for wetlands; 5) development of a wetlands tracking system; 6) development of general, programmatic and standard activity permits for certain regulated activities.

II.B.1.e.2. Tidal Wetlands

Strengths:

The NYSDEC Tidal Wetlands (TW) Program has four major programs: 1) regulation of use, 2) preservation and management, 3) inventory, and 4) public information and education. When the program was initiated after passage of the TW Act in 1974, a complete inventory of the State's TW was conducted which remains a major resource and strength of the program. Since 1974, the regulation of activities in and adjacent to TW has resulted in virtual cessation of the loss of TW from human activities. There has been a remarkable change in the public perception of the value of wetlands, and there remains today widespread

support for protection of wetlands from filling. There is also strength in that over 80 percent of the State's vegetated TW is in public ownership, and for the most part, these lands are set aside for preservation.

Weaknesses:

Although the agency's program has marginal capability to maintain State-owned TW, it has great shortcomings in its ability to conduct restoration and enhancement of TW on its own properties and to work in partnerships with owners and managers of other public and privately-owned TW. Many of the State's remaining TW are impaired from fill and flow restrictions. Great benefits would accrue from a stronger TW restoration and enhancement program.

The program has minimal capability to conduct public information and education activities about the benefits of and remaining risks to TW. Although the loss of TW acreage from human activities has virtually ceased, past and continued development still has a negative impact on TW from such sources as activities in adjacent areas and NPS. Reduction of these impacts could be enhanced through increased public awareness about these threats and actions that can be taken to prevent them.

Acquisition has been minimal in the last ten years. Public ownership of TW and dedication to preservation is the surest way to provide long-term benefits of TW.

A final weakness may be a lack of adequate protection for submerged aquatic vegetation (SAV) in the State's shallow waters. More needs to be known about the risks to SAV from human activities in order to take appropriate protection/restorative action with existing authority and/or to provide the basis for seeking authority for additional protection.

Opportunities to Strengthen:

In the near future the greatest opportunity to strengthen the program in its weak areas will probably lie in the fostering of existing partnerships and the development of new ones. Additional funds will be helpful, and aggressive pursuit of funds is necessary, but a synergistic effect on production of TW benefits could accrue from working in more partnerships on TW restoration and public information and education activities. Partners would include other State, federal, and local agencies, as well as public groups/NGO's. Regarding acquisition, opportunities could be sought to acquire the remaining privately owned TW using the EPF, federal funds and funds from NGOs and private donors. The Open Space Plan includes specific TW lands among the high priority properties for preservation in the State.

II.B.1.f. Dredged Material Management

Strengths:

The Department has developed a technical program to establish a unified electronic data base of sediment quality data from the Harbor complex, to identify the current contaminants of concern in the Harbor sediments and to trackdown the sources of those contaminants. From this information, source control scenarios will be developed and with their implementation dredge material will become less problematic and the ecological health of the Harbor should improve.

Weaknesses:

The most significant impediment to dredging activities is the eventual disposal of the dredged material. Disposal options in the water, in riparian areas and on the land, need to be developed. Land disposal options of contaminated material are often the most limited. The numbers of samples and the required analyses are sometimes found to be costly by the applicant.

Opportunities to Strengthen: (General Implementation Strategy)

The Department needs to work closely with the applicants in defining and in finding appropriately protective disposal methods and sites. Maintain active participation in the HEP Dredged Material Forum and other ongoing activities to identify acceptable disposal sites.

Priority Areas to Strengthen in 97/98:

Issue a dredge material assessment and management guidance document that covers marine and freshwater dredging activities.

Participate in Great Lakes and NY Harbor workshops and forums.

Work with Corps Of Engineers to develop a common set of sampling and analytical methods for use in dredging and dredge material disposal decision processes.

Assist in the identification of dredge disposal options.

Work closely with applicants, the Corps of Engineers, and the NY Harbor work groups and forums to find appropriate disposal sites.

II.B.1.g. Sediment Management

Strengths:

An active program is underway to characterize sediment quality in the Great Lakes Basin and develop/maintain a sediment quality inventory. Additional areas in the State are being assessed in conjunction with other program needs such as Hazardous Waste Remediation. A trained, well-equipped and competent staff is available to accomplish these tasks.

Weaknesses:

There are many areas in the State where water quality is impacted by "contaminated" sediments. Most of these areas have not been studied to document actual impacts. State resources are not available to address this issue, except on an "environmental emergency" basis.

Opportunities to Strengthen: (General Implementation Strategy)

Policy decisions are needed to determine future directions. Some sediment quality profiles indicate that much of the significant contamination has occurred from historical discharges, i.e. pre-1980s. Recently deposited surficial sediment is often of cleaner quality, indicating that ongoing regulatory programs are having an impact. There are limited funds to remove or remediate contaminated sediment. Problems arise when navigation or construction activities require removal of deeper, contaminated sediment or when high flows might scour these deposits. Future activities should include completion of the sediment inventory, prioritization of sediment deposits through the determination of actual or potential impacts, then a resolution of action which might include: no further activity (self cleaning or burial), referral to another agency or division (EPA or DHWR) for action or additional/periodic monitoring or source identification by DOW.

Priority Areas to Strengthen in 97/98:

Participate in the Governor's task force for contaminated sediment.

Participate on the Harbor Estuary Program Management program with regard to finding alternatives for sediment disposal.

Manage portions of the national sediment inventory data base that are applicable to New York State.

Conduct field studies that detail the extent of sediment contamination.

Develop the expertise to assess environmental, economic, and social impacts of contaminated sediments.

Collect, date, and analyze toxic chemicals in sediment cores in depositional areas of 1) Lake Erie near the headwaters of the Niagara River and 2) Lake Ontario near the headwaters of the St. Lawrence River.

Sediment Cores (Lake Erie and St. Lawrence River) - Dated sediment cores will be collected in depositional areas of Lake Erie near the mouth of the Niagara River, and in the St. Lawrence River.

Sediment Inventory Validation - DEC will gather information (sampling if needed) on sites identified by the National Sediment Inventory as having limited or contradictory data.

II.B.1.h. State Revolving Fund

II.B.1.h.1. DEC/EFC Evaluation of Clean Water State Revolving Fund (CWSRF)

Strengths:

NYS leads the Nation in the amount of State Revolving Fund (SRF) financing. Over 3.4 billion dollars in loans have been made to date. There is a consistent demand for loans for a variety of project types.

NYS uses an integrated Project Priority System (PPS) in ranking projects. This integrated system scores and ranks all projects using the same criteria. The result is prioritization of projects based on water quality factors without differentiation of project type.

Weaknesses:

Many of the continuing problems threatening best usage of NYS waterbodies are from nonpoint source pollution. A preponderance of NPS pollution is related to private (i.e. non-municipal) sources. A greater flexibility may still be needed to realize the greatest SRF benefits for NPS and estuary projects. The municipal-only authority limits NYS' effectiveness for using SRF for the NYS estuary initiatives. Although the trend in SRF financing has increased for NPS projects, the concern is that the water quality benefit and the correct balance of project types has not yet been reached.

Opportunities to Strengthen:

A joint NYSDEC and NYSEFC grant proposal was funded by EPA in 9/96. The intent is to revisit the PPS and modify it as necessary so that combined POTW/NPS/estuary project ranking reflects true water quality benefits. The goal is a water quality based project priority

system that includes Sections 212, 319 and 320 projects. An amount of $50,000 was made available for this purpose from section 104(b)(3) funds.

Consistent federal appropriations should be sought for programs where co-funding financing agreements have been reached for hardship areas/projects.

Priority Areas to Strengthen in 97/98:

Review project priority system to insure ranking and funding of projects consistent with NYS water quality objectives, both point source and nonpoint source related. Establish additional eligibilities related to natural estuary and designated water body studies. Establish watershed-based needs accounting links.

II.B.1.h.2. DOH's Evaluation of Drinking Water State Revolving Fund (DWSRF)

Strengths:

New York State Department of Health (NYSDOH) has a nationally recognized drinking water protection program. Exceptional technical and managerial resources are available and being utilized to implement a Drinking Water State Revolving Fund (DWSRF) in the state.

The Environmental Facilities Corporation (EFC) is the NYS DOH's financial partner in the DWSRF application. EFC has extensive experience in the Clean Water State Revolving Fund (CWSRF) and NYS leads the nation in CWSRF financing.

In 1996, New York's voters approved the $1.75 billion Clean Water/Clean Air Bond Act which includes $355 million for drinking water projects. This funding will significantly enhance the funding available under the DWSRF.

Weaknesses:

Development of the DWSRF program has had a negative effect on the water supply program and many other programs within DOH. Since no up-front administrative monies were available for staffing, personnel from existing programs have been reassigned to accomplish the extensive duties required in the development of the program.

Opportunities to Strengthen:

EPA approval of the Capitalization Grant application will provide administrative monies to hire additional staff for the DWSRF. An increase in federal appropriations for the state's DWSRF is anticipated based on the needs survey. Flexible guidance in EPA's DWSRF Interim Guidance is necessary to provide the state needed flexibility.

Priority Areas to Strengthen in SFY 97/98:

Completion of the first year's IUP, including the multi-year and 1997 Project Lists and Set-Aside proposals.

Creation of a unit dedicated to managing the DWSRF and strengthening project review capability within an existing unit must be accomplished as soon as possible.

II.B.1.h.3. EFC's Evaluation of EPA/NYS Relationship

Strengths:

The EPA Region 2 staff are very supportive of New York's SRF program. Administrative assistance is timely and reliable. Cap grant applications are acted on promptly.

Weaknesses:

On the national level, Congressional inaction on reauthorization of the CWA has added uncertainty in the minds of NYS program administrators and the customers served, as to long-term support for the SRF. However, FFY97 monies have been appropriated. NYS' share is $68.8 million.

NYSDEC proposed to Region 2 that the SEQRA be used in lieu of SERP for Tier II (non-equivalency) Projects. This proposal is under active consideration in terms of the requirements of 40 CFR 35.3140(c) - Alternative State Environmental Review Process. EPA, DEC and EFC staff met several times during 1996 to negotiate an amended SERF, which is compliant with EPA regulations. The final submittal of attachment 8 to the operating agreement was made on 1/16/97, and is somewhat more restrictive than SEQR.

EPA HQ is exerting control over State SRF programs by imposing a national eligibility framework.

Opportunities to Strengthen:

EPA can assist the States by taking a leadership position in developing creative assistance mechanisms. Innovative financing solutions, such as the linked deposit program should be

promoted. Limitations on combining EPA funding types (such as CWSRF and Section 319) should be eliminated.

EPA HQ can assist the States by examining expanded eligibilities for NPS and Estuary projects.

Priority Areas to Strengthen in 97/98:

Support DEC efforts to improve State PPS. Accept SEQR as environmental review process for SRF Tier II projects.

Observe NYSDOH/EPA Region 2 implementation of Drinking Water State Revolving Fund program.

II.B.1.i. Nonpoint Source Management

Strengths:

Implementation of a Nonpoint Source (NPS) program in New York has required coordination of efforts among the various agencies who have a role to play. To foster this coordination, the NY NPS Coordinating Committee (NPSCC) was formed in 1990. This group, composed of representatives of 15 federal, State and regional agencies, meets quarterly to share information about each agency's programs. DEC, working with representatives of NPSCC agencies, has developed a series of management practices catalogues for each of the significant categories of NPS pollution in the State. In addition to statewide coordination, local level coordination has been achieved through County Water Quality Coordinating Committees. These county committees provide a forum for agencies that operate at the county level to interact and to discuss needs and priorities. This type of local priority setting has helped assure that implementation project proposals are well focused. Using a combination of federal and State funds, over 70 NPS implementation projects have been funded in the last 2 years.

Weaknesses:

The NPS Management Program, approved in 1990, contained a 4 year implementation schedule. We have now gone beyond the end of that schedule. There have been questions raised about the accuracy of the Division's Priority Waterbody List on which our assessment of the NPS problem in the State is based. Very little of the information presented in the assessment is based on monitoring information.

Opportunities to Strengthen: (General Implementation Strategy)

An update of the NPS Management Program is needed. A more coordinated program to

encourage local watershed planning would also be beneficial. Programs to measure success both functionally and environmentally are needed. Refine and implement the CZARA NPS Management program.

Priority Areas to Strengthen in 97/98:

Work will continue on revising the NYS Nonpoint Source Management Program. Methods of measuring success either through water quality monitoring or environmental indicators need to be developed.

New York State will fund at least $2.3 million and up to $4 million of NPS Implementation using a combination of EPF & 319 funds.

II.B.1.j. Flood Protection Program

Program activities for the NYS Flood Protection Programs have been added to the PPA in an effort to provide the public with a complete picture of the DOW's range of responsibilities, planned actions, and staffing levels. While Flood Protection is part of an overall water resource management program and does have multi program benefits, including non-point source and other water quality benefits, this document is not intended to be used as an EPA oversight tool for NYS Flood Protection.

Strengths:

DEC has a comprehensive Flood Protection Program that addresses multiple aspects of flooding problems in NYS. The Flood Protection program has a Central Office staff of 23 professionals and support staff and 15 professional staff in our nine Regional office or sub-offices across the State. There are no guarantees against flooding. If conditions are right, any stream can overflow its banks. Floods also occur due to failures of upstream dams or surges of water driven by winds along coastlines. In NYS's water rich, hilly landscape, 1480 communities are officially designated as "flood-prone", meaning that 1.5 million people face the potential of a flood disaster.

The primary approaches employed by the DEC to address flooding are:

- keep the water away from the people and property (structural controls)
- keep the people and structures from the water (floodplain management)
- minimize the (inevitable) damage (loss reduction)

The DEC has a Structural Flood Program that helps flood prone communities obtain federal and state aid for flood control projects. Since 1936, approximately $100 million has been spent on NY's flood control projects: experts estimate that this has paid off in a cumulative direct economic benefit of $1.9 billion, as well as incalculable benefits in lives saved.

The DEC has a Flood Plain Management Program that helps local governments develop flood plain regulations to control the location and construction of buildings. Only when a community's floodplain management program meets the minimum federal requirements can a community participate in the National Flood Insurance Program. DEC also works with federal and local governments to predict flood conditions and to warn vulnerable communities. DEC, in conjunction with the State Emergency Management Office (SEMO), provides technical assistance and coordinates planning for local officials and emergency managers concerning flood preparedness and disaster planning.

The DEC has a Dam Safety Program. In carrying out its responsibility for public safety, the DEC reviews the design and specifications and if approvable, issues permits for newly proposed or rehabilitated dams. DEC also has the authority to inspect and report on the condition of dams in the State. DEC also has the authority to order the owner of an unsafe dam to lower the pool behind the dam or to breach the dam.

The DEC has a Coastal Erosion Program that is responsible for implementing State laws regulating activities in coastal areas designated as particularly vulnerable to erosion. NY's ocean and Great Lakes shorelines total 3,100 miles and includes 25 cities, 112 towns, and 103 villages. The DEC administers the NYS Beach Erosion Protection Laws which authorizes it to construct works and improvements to protect property, in cooperation with any coastal municipality, park or beach erosion control district in the State's coastal area, both with and without federal financial assistance. DEC's Flood Protection staff are called upon to coordinate activities among the multiple layers of governmental responsibility and across geographic and political jurisdictions. The DEC is responsible for the following activities regarding coastal erosion hazard areas:

- identifying, mapping, and evaluating
- promulgating regulations to control certain activities and development
- reviewing applications for permits relative to erosion control structures, wetland use, dredging, coastal development
- (where local governments have relinquished jurisdiction) issuing or denying permits for construction, action or land use which disturbs the land
- technical assistance.

DEC has developed strong partnerships in the arena of flood protection with all levels of government, including:

- the US Army Corps of Engineers
- the Federal Emergency Management Agency (FEMA)
- the US Environmental Protection Agency (EPA)
- the State Emergency Management Office (SEMO)
- the US Geological Survey (USGS) Stream Gaging Program
- the National Weather Service

- and local governments

Weaknesses:

There are three major areas of weakness in the Flood Protection Program in NYS:

- Increased storm water runoff causing higher water levels for less than dramatic storm events
- Continued, excessive erosion and sediment transport causing the loss of hydraulic carrying capacity in streams, rivers and flood control projects
- Lack of adequate staffing or permanent, long term funding to foster Statewide, comprehensive watershed flood protection planning and implement the most cost effective alternatives, and specifically the lack of Capital funds to plan, design and construct recommended structural flood control alternatives.

Opportunities to Strengthen:

There are several opportunities that the DEC will pursue to address some of the identified weaknesses and to strengthen the overall program. The first opportunity has come with the passage of the Clean Water/Clean Air Bond Act. Funding is available in the Bond Act for both flood protection and for dam safety projects. Bond act funds are typically only eligible for actual construction activities. Our challenge will be to somehow encourage, by use of the Bond Act, the long term comprehensive watershed flood protection planning that should occur.

Another opportunity is to work more closely with the USEPA in the areas of stormwater and nonpoint source to address both water quality and water quantity concerns. The 319 program, the State Environmental Protection Fund, the Bond Act and the State Revolving Fund are all sources of funding that local partners can be encouraged to access in order to address storm water and erosion/sediment management issues.

Another opportunity for improvement that the DEC is undertaking to is to better define and coordinate our responsibilities, activities and resources between our federal and State partners. This will better serve the public's needs and leverage our limited resources to obtain the greatest flood protection benefits.

One additional opportunity that the DEC is now involved in is the development of a Statewide Geographic Information System (GIS). While this effort has Division-wide and Department-wide implications and benefits, many of the immediate benefits will also address flood control issues. The development of accurate, reliable digitized maps, that are detailed enough to identify structures, floodplains, floodways and 100 year flood lines will be an invaluable tool for local floodplain managers. Work on developing the base map information for these tools is ongoing and production of pilot programs will occur sometime before the

Fall of 1997.

Priority Areas to Strengthen in 97/98:

The area that DEC will focus on to strengthen our program during SFY 97/98 is the development of a Statewide Geographic Information System (GIS). The development of accurate, reliable digitized maps, that are detailed enough to identify structures, floodplains, floodways and 100 year flood lines will be an invaluable tool for local floodplain managers. Work on developing the base map information for these tools is ongoing and production of pilot programs will occur sometime before the Fall of 1997.

II.B.1.k. Water Supply Permitting, Reservoir Releases and Drought Management

While water supply permitting, reservoir releases and drought management are part of an overall water resource management program and do have multi-program benefits, this document is not intended to be used as an EPA oversight tool for these areas.

Strengths:

Through the Public Water Supply Permitting program the State ensures responsible, equitable distribution of the State's water resources to meet the needs of communities. Through this permitting process, no community is allowed to have an unfair advantage over another community in meeting their water supply needs for today and the foreseeable future.

The Reservoir Releases Program manages the releases from the New York City reservoirs to maintain and enhance where possible, the tailwater fisheries. The program gets its strength from the cooperative attitude maintained between the State and the City of New York.

The Drought Management Program is a cooperative effort to plan for and coordinate state agency activities during droughts. Its strength is the cooperation that exists between agencies.

Weaknesses:

The Public Water Supply Permitting program only permits water withdrawal for public water systems. It does not manage water withdrawals for commercial or industrial users, including agriculture. Therefore, the interaction between these various water needs can't be accounted for.

The Reservoir Releases Program has difficulty meeting all the demands placed on the New York City reservoirs. There is insufficient water available to maintain the tailwater fisheries during droughts, which are occurring every 3 to 5 years.

The Drought Management Plan does not have sufficient authority to make the program effective. Cooperation between agencies does not always occur as needed.

Opportunities to Strengthen:

The Reservoir Releases Program needs to continue working with New York City to find ways to reallocate the releases to diminish the adverse effects of drought events.

The department needs improved authority to develop and implement Drought Management Plans.

Priority Areas to Strength in 97/98:

Modify the present drought management plan for conditions encountered during the last drought event.

II.B.1.l. Public Water System Supervision Program

Strengths:

NYSDOH has long been a leader in assuring the safety of its public drinking water supplies. Through its more than 40 local health departments NYSDOH provides effective oversight of public water suppliers in NY. NYSDOH has an experienced staff with the ability to provide excellent technical assistance, such as the award winning Self-Help Support Program. NYSDOH has the support
organizations and capabilities in place to respond to major statewide and regional emergencies, such as drought, floods and storms. NYSDOH has access to a nationally renowned laboratory and laboratory certification process. NYSDOH also has instituted an effective and timely administrative process for enforcing against public water suppliers.

Weaknesses:

While providing additional manpower, NYSDOH's decentralized program results in incomplete and often tardy reporting. NYSDOH has not had the manpower to fully implement many of the lower priority (priority 2 and 3) EPA requirements, such as groundwaters under the influence, lead and copper education at small systems, surface water treatment at noncommunity systems and annual inspections at all public water systems. Fees proposed in the Governor's budget proposal have been defeated three years running. While the Comprehensive Performance Evaluations performed by staff are of excellent quality, far too few are conducted due to manpower constraints. The NYSDOH is also stressed by the extent of past reliance in the State on unfiltered surface waters. Nearly 70 systems are under

a departmental order to resolve their reliance on an unfiltered surface source, most of them are small water systems that cannot readily afford such an investment.

Opportunities to Strengthen:

The passage of the Clean Water/Clean Air Bond Act (Bond Act) and Federal Drinking Water State Revolving Fund (DWSRF) will provide needed financial assistance to help water suppliers comply with drinking water standards allowing the State to more aggressively pursue compliance. The DWSRF will also provide resources to the State to strengthen its technical assistance, comprehensive performance evaluations, operator certification, small system capacity development, source water protection, and overall PWSS program implementation. The recent signing of the NYC Watershed Agreement will also provide the department additional resources as well as a blue print for assuring the continued protection of the City's watersheds which serve nearly nine million people. The FFY 97 increase in PWSS funding will also allow full implementation, as shown in "Trade-Offs", of all PWSS primacy requirements.

Priority Areas to Strengthen in SFY 97/98:

Implementation of the new requirements under the 1996 amendments to the SDWA, enhanced technical assistance, continued implementation of the SWTR at unfiltered surface supplies, creation of a coordinated source water protection program and improved data collection and reporting (both Safewater and Electronic Data Interchange).

II.B.1.m. Source Water Protection

Strengths:

DOH, and the local health departments (LHD), through general drinking water program oversight, have a long history of working with public water systems on source water protection. DOH Watershed Rules and Regulations have been an important regulatory tool available to water systems. Sanitary surveys and vulnerability assessments for disinfection and/or monitoring waivers have generated vast amounts of information on potential sources of contamination.

NYS has been a leader in investigating emerging threats to public water supply sources and in promulgating regulations that encourage public water systems to maintain the quality of their source waters. DOH has cooperated with Department of Environmental Conservation (NYSDEC) in promulgating ambient water quality standards that protect surface waters used as drinking sources and all fresh groundwater as existing and potential sources of drinking water.

DOH has worked with coalitions of federal/state/local governments and non-government organizations to institute innovative watershed protection programs for the New York City reservoirs, Skaneateles Lake (Syracuse) and several other multi-purpose lakes.

NYSDOH has worked with DEC to establish the wellhead protection program for the entire state and to implement the program, primarily through the New York Rural Water Association, local health departments, DEC regions or local agencies for new wells and where requested by individual public water systems.

DOH has strong established programs for individual household wells and on-site sewage systems. DOH has cooperated with DEC's established programs for hazardous wastes, petroleum, chemical bulk storage, solid wastes, pesticides use permits and nonpoint sources. DOH has developed a strong working relationship with the agricultural community as an advisor to the State Soil and Water Conservation Committee and State Technical Committee to the Natural Resources Conservation Service, and locally through whole farm planning projects in several watersheds.

Some Local Health Departments, either directly or through the County Water Quality Coordinating Committees, play an integral role in a strong regional network with DEC regions, regional planning agencies and other county or local agencies.

DOH has begun to computerize water quality data by requiring public water systems to have their approved laboratories submit data electronically.

Weaknesses:

DOH recognition of source water protection efforts has historically been limited to Watershed Rules and Regulations. Demands of the expanded public water system supervision program to implement mandated regulations have overwhelmed state and LHD resources. Specific source water protection efforts, particularly adoption of watershed rules and regulations, have been curtailed.

Nearly all specific source water protection efforts have concentrated on community systems.

Mapping source water protection areas (wellhead and surface watersheds) and contaminant inventories is sometimes incomplete and often limited to paper maps at varying scales at multiple locations. GIS for water resources where undertaken by the state or a local agency is not complete.

Where Local Health Departments have limited staffing resources or expertise, source water-related information from DOH and DEC programs are not completely integrated locally. At the state/federal level, coordination is hampered by the PWSS, WHP and UIC programs being administered by three different agencies. DOH has not been involved in federal

funding of local WHP projects.

DOH electronic water quality data is limited in scope and varies in format, making access and review cumbersome.

Opportunities to Strengthen:

Storage of, and access to, source water protection data needs to be strengthened. Mapping of general water resources data, source water protection areas, and contaminant inventories should be digitized, for use in the GIS. DOH could address how this will be accomplished in the state's plan for source water assessments. Existing ambient and source water quality data should be consolidated and organized. DOH could adopt EPA electronic data protocols for water quality data and should enforce the requirement for approved laboratories to submit the data in the EPA electronic data format.

DOH can work with DEC to integrate the Source Water Protection Program with the State Wellhead Protection and Watershed Management Programs. DOH should be integrally involved in EPA's UIC program, particularly where it involves any local inspection efforts.

DOH and DEC can expand the existing Wellhead Protection Advisory Committee to address all technical issues associated with source water protection. DOH, through a reinstituted New York Drinking Water Advisory Committee and involvement through numerous other committees chaired by state, and federal agencies and non-government organizations, could promote public involvement for all stakeholders in developing the state program for source water assessment and protection.

Technical assistance, particularly through cooperation with DEC and the New York Rural Water Association, can be increased to support efforts by public water systems and local governments to institute source water protection.

DEC and DOH will work together to maximize and enhance the use of existing state source water protection programs and water quality information systems to avoid inter-agency duplication.

EPA, DEC and DOH will work to insure funding support, from all appropriate funding sources, for source water protection activities.

Priority Areas to Strengthen in SFY 97/98:

Implementation of a coordinated source water protection program between DOH and DEC, particularly focused on GIS, local or regional efforts, and delineations and assessments.

II.B.1.n. Data Management

Strengths:

DEC continues to be a leader in State program use of the EPA PCS system. All required WENDB elements are maintained. NYS has one of the highest rates in the nation for PCS data acceptance. NYSDEC has pursued GIS development partnerships with USGS, EPA and other agencies to develop innovative techniques to develop new GIS coverages.

Weaknesses:

DEC relies heavily on DMR self-monitoring data to oversee N/SPDES compliance. Demands on DEC by NYS permittee to ease reporting burdens on the regulated community (regulatory reform) necessitate flexibility in the way DEC and, in turn, PCS can accommodate electronically transmitted data from both permittees choosing to do so and directly from certified labs doing analytical work for permittee.

There needs to be a more reliable sludge database in PCS.

A lot of needed information lacks locational data and existing locational data in PCS and other databases need QA/QC to meet accuracy standards.

Opportunities to Strengthen:

NYSDEC, as part of an EDI pilot, will develop an EDI implementation plan. NYSDEC will continue to develop EDI capabilities beyond pilot project stage to accommodate interested permittees in accordance with this plan.

NYSDEC will continue to participate with EPA Headquarters and Region 2 in PCS EDI workgroups to ensure the NYS EDI program is consistent with EPA's EDI efforts.

NYSDEC, with commensurate EPA support, will initiate development of a regional pilot for SPDES locational data and DOW will work within DEC to add attributes (under 104(b)(3) grant) of reach and water body classification.

DEC DOW has established facility level sludge data in PCS and will work with EPA to allow satisfaction of WENDB elements by ongoing reported sludge data.

Priority Areas to Strengthen in 97/98:

As both a contribution to the national EDI effort and a direct commitment to regulatory reform and better ways to conduct business with our regulated "customers" in NYS, DEC will complete the current EDI pilot with selected EPA major dischargers and, dependent on the

feasibility level demonstrated by the pilot, will enter into an implementation mode for routine electronic transmission of N/SPDES DMR data.

II.B.1.o. Public Involvement Outreach Program

Strengths:

The DOW's Public Involvement and Outreach program has been strong on structuring dialogue with public audiences for planning and policy development since the mid 1980s. Staff have provided in-depth support for DEC programs and projects involving external partners as diverse as other states and foreign governments through Lakewide Management Plans and the National Estuary Program, and with business, industry and counties through the interagency Nonpoint Source Coordinating Committee. The Water Management Advisory Committee provides continuous, informed advice and support for policy development and program implementation. Additionally, staff have developed long-range information and education campaigns to reach target audiences ranging from volunteer water quality monitors to county-level outreach specialists. A multi-year watershed education campaign, with the goal of encouraging watershed alliances, is in its third year. Complementing the outreach effort is a Watershed Stewardship program that now includes more than 530 citizen organizations, local governments, businesses and industries, school and youth groups, and individuals.

Although restructuring has separated the Outreach and Public Involvement staff administratively, staff members continue to work collaboratively and to consult each other on projects.

Weaknesses:

While staff in the Central Office create the frameworks and plans for outreach and public participation and often produce the accompanying materials, implementation is somewhat dependent upon regional staff whose responsibilities cover all agency programs and regional priorities. Consequently, water outreach and public involvement do not always receive the ideal amount of attention.

Opportunities to Strengthen:

The Public Participation and Outreach staff will continue to seek to increase the flow of information among constituents and between partners and appropriate DEC programs. Staff have worked with the network of county outreach specialists through the Water Quality Coordinating Committees to train them in public participation planning and techniques. More of this type of outreach could empower selected partners to conduct their own information, education and participation programs, with the end goals being strengthened working relationships, basin alliances and broad public participation in protecting NY's

environmental resources. Opportunities to work in partnership with external entities are being pursued for many program aspects. As the Office of Environmental Quality within DEC becomes more integrated, the opportunity to meld internally with other programs will enable the agency to conduct public involvement and outreach with a broader scope.

Priority Areas to Strengthen in 97/98:

With the 1997 Water Week theme of *Building Watershed Partnerships* as a springboard, DEC should be able to work more closely with central office and regional staff to develop a partnership strategy for Community-Based Environmental Protection Initiatives.

For outreach on the PPA, current efforts will be maintained. Opportunities will be sought to identify and publicize instances where the PPA is allowing NYS to match local or regional needs with the necessary funding.

II.B.2. Community-Based Environmental Protection Initiatives

II.B.2.a. Introduction

Strengths:

The NYSDEC DOW has been working to spur community-based environmental protection (CBEP) initiatives with increasing focus over the past decade. Various programs under different names have established a good track record that can be used as the foundation for a more comprehensive CBEP strategy. Where such programs have been established, they have proved to be a cost-effective way of engendering local activity and sharing information, for mutual benefit.

Examples of statewide programs to encourage and empower local action:

Citizens Statewide Lake Assessment Program (CSLAP)

Volunteer members of lake associations are trained by DEC and Federation of Lake Associations staff to conduct water quality monitoring in a partnership between the state, a nonprofit statewide group and local interests.

Watershed Stewardship Program

In an ongoing, year-round campaign to encourage and recognize local action to improve and protect waterbodies, the DOW has more than 530 watershed stewardship groups or individuals enrolled. Their activities include monitoring water quality, stabilizing stream banks, cleaning beaches and teaching about watersheds.

County Water Quality Coordinating Committees (CWQCC)

In partnership with the NYS and Water Conservation Committee, the DOW funds and guides committees in each of the states 62 counties. CWQCCs combine county agency experts and citizens to implement local quality strategies, especially regarding nonpoint source pollution.

Clean Water/Clean Air Bond Act Projects

The NYS Bond Act passed in 1996 will fund a variety of local environmental projects. Proposals from municipalities will be received, reviewed and funded by priority beginning in 1997.

Training and technical assistance

DOW staff offer training and technical assistance to wastewater treatment plant operators, floodplain managers and local code enforcement officials as another aspect of local empowerment.

Water Week (Information/Education Outreach Program)

The Water Week campaign is in year three of a multi-year focus on watersheds. Information and education materials on building watershed partnerships are being

distributed for Spring 1997. (Water Week is the first full week in May.) The ultimate goal of the watershed education campaign is to encourage the formation and activity of watershed alliances.

Examples of regional programs to encourage and empower local action:

Regional Planning and Development Boards

The DOW contracts with RDPBs to conduct planning for managing water quality and implementing nonpoint source programs. The regional boards are working with DEC regional staff to identify priority watershed projects.

Basin Teams (Lake Ontario Basin)

Basin Teams, a concept being piloted in the Lake Ontario Basin, is on its own implementation schedule with regional partnership meetings and a forum planned later in 1997. The purpose carries out the CBEP intent to involve local interests in working to solve local watershed problems.

Remedial Action Committees for Areas of Concern (Great Lakes)

DOW staff have worked closely with local committees to develop their capacity to produce Remedial Action Plans that serve local needs as well as those of the Great Lakes programs.

Other Geographically Targeted Programs with CBEP functions (see following pages for more details):

Great Lakes
- Niagara River/Lake Ontario
- Lake Erie

Onondaga Lake Management Conference
Long Island Sound Study
NYC Watershed (Catskill/Delaware and Croton)
Peconic Estuary
NY/NJ Harbor Estuary/Bight Program
Citizen Statewide Lake Assessment Program
Finger Lakes
Lake Champlain Management Conference

For both statewide, regional and local programs and projects, advisory committees provide Water program managers with the perspectives and knowledge from many different sectors and regions necessary for informed decision making.

The programs of the DOW are comprehensive and well-organized to achieve the agency's mission. The EPA's evolving focus on CBEP Initiatives promises to help extend the reach of DEC to achieve environmental improvements.

Weaknesses:

The DOW, while recognizing both the need for and value of community-based initiatives, has not yet articulated a comprehensive strategy that pulls together all of these existing program elements and charts future direction.

Opportunities to Strengthen:

By June 30, 1997, the DOW will articulate a comprehensive strategy to strengthen existing partnerships and build new ones for community-based projects. The strategy will identify a mechanism for facilitating the development and implementation of local-lead projects. The partners already identified in the statewide and regional partnerships described above are likely organizing points for developing ways that local entities can take the lead on solving local problems, in particular, the problems not addressed by base programs.

The CBEP strategy will focus on working with representatives of these key groups: coordinators of Lake Ontario Basin Teams; DEC Regional Water Engineers; regional coordinators for the State Soil and Water Committee, who oversee the county WQCCs, and watershed associations. The outcome will be an agreed-upon approach. Report on CBEP progress by September 30, 1997.

The following pages present the self assessments for fourteen ongoing, NYSDEC-lead, CBEP initiatives.

II.B.2.b. Great Lakes

II.B.2.b.1. Niagara River/Lake Ontario

Strengths:

The Niagara River Toxics Management Plan (NRTMP) is a well-established planning mechanism to coordinate U.S. and Canadian actions to reduce toxic chemicals from point and non-point sources to the Niagara River. Reductions in point source loadings of toxics have been reported in DEC point source reports. Reductions in non-point source loadings have been reported in EPA/DEC hazardous waste site reports. Four-Party (EPA, DEC, Environment Canada, Ontario Ministry of Environment and Energy) commitment to the NRTMP is expected to remain strong in the foreseeable future, ensuring a continued multi-media approach to Niagara River water quality issues, public accountability through highly visible bi-national meetings and reports, opportunity to share Four-Party expertise and staff

resources, and a forum for reaching Four-Party agreement on issues.

A Lake Ontario Lakewide Management Plan (LO LaMP) is being developed into an ecosystem approach to coordinate U.S. and Canadian actions to reduce inputs of critical pollutants in order to restore the Lake's beneficial uses. The Stage I report is being finalized with public input to document beneficial use impairments and the critical pollutants that cause them. The Stage I report goes beyond problem identification into actions that have been or are being taken to address the impairments and pollutants, and includes a workplan for future actions. An improved public involvement mechanism has been established through a three-tiered Lakewide Advisory Network that accommodates involvement in the LaMP at various levels of individual interest and time. Four-Party commitment to the LO LaMP is also expected to remain strong through all four stages of the LaMP process.

Numerous DEC programs have been established in support of both the NRTMP and LO LaMP. DEC has developed many tools to monitor for toxic chemicals that are present in the ambient at such low levels that they are not detected with conventional sampling and analytical methods (PISCES, TOPS, spottail shiners). These have been used with success in the toxics source trackdown program to identify previously unknown sources of contaminants for control. DEC and EPA have supported the expansion of Clean Sweep collections that help farmers dispose of unwanted pesticides in an environmentally safe manner.

Weaknesses:

Under the NRTMP, the majority of sources have historically been identified as U.S. sources, particularly hazardous waste sites. Thus, Canadian agency resources have been focused on problem assessment, while U.S. agency resources have been spent on remediation actions. The nature of the system makes it difficult to link progress in source reductions of toxics to environmental gains, because of dilution/detection and short flow-through times. Thus, EPA/DEC have had difficulty demonstrating progress in improving the Niagara River environment, despite spending large amounts of resources on remediation. For Lake Ontario, recent cutbacks in Ontario MOEE will weaken Canadian efforts to identify sources of critical pollutants.

Working in the Four-Party process is resource intensive, in time and money, and requires compromise. There is the tendency for agreements to be at the least common level (i.e., broad, not transferable to programs), and for deadlines to be missed because of extensive negotiations. The international scope and toxic chemical pollutant focus of the NRTMP and LO LaMP can take too much attention away from local, non-toxic concerns, such as Storm water, nutrients, and sedimentation.

The successful trackdown program, using PISCES and TOPS, has been weakened because the principal investigators have been removed from Great Lakes work without transferring their knowledge of specialized equipment to other staff. The program has also been weakened by the long lag times between sampling and publication of results (2-4 years). EPA has had some difficulty determining if the data identifying potential new sources have been transferred to responsible EPA/DEC divisions for follow-up actions.

Opportunities to Strengthen: (General Implementation Strategy)

Use annual Four-Party NRTMP and LO LaMP progress reports to highlight progress in making environmental improvements.

Evaluate the effectiveness of the Canadian programs.

Acknowledge and identify the real authority/power of the program to drive reductions through stronger communication between these programs and the regulatory programs.

Share resources in workgroups i.e. joint representation on workgroups.

Use NYSDEC/EPA resources that are implementing actions associated with these programs to also address problems of local/State concern.

Use EPA resources to support Canadian efforts to identify sources of critical pollutants.

Priority Areas to Strengthen in 97/98:

Minimize the resource demanding Four Party reports by utilizing single, annual, Four Party reports to the extent possible.

EPA and DEC will participate in the Trackdown Workgroup to identify: immediate remediation opportunities; and future enhanced monitoring activities supporting the identification and remediation of sources of priority toxics in the great lakes basin (EPA/DEC).

- The workgroup recommendations are expected by 9/30/97
- $162,500 in non-personal services will be reserved to support implementation of workgroup recommendations.
- Existing personal services in the Great Lakes FY97 grant will be used to support implementation of workgroup recommendations.

II.B.2.b.2. Lake Erie

Strengths:

The Lake Erie LaMP is a forum for coordination of many jurisdictions/agencies in U.S. and Canada. It is multi-programmatic in scope and it takes the ecosystem approach. There is some, limited, opportunity for reporting to the public. The programs provide opportunities to share expertise and resources of staff within the Four Parties.

Weaknesses:

The Lake Erie LaMP is very broad in scope. It attempts to manage every aspect of the ecosystem directly, rather than delegating some problems to agencies with the appropriate expertise.

It requires significant resources for the coordination/communication across the many programs involved. We (DEC/EPA, Region 2) don't have the resources to be active on every committee.

Lake Erie has a significant effect on New York's water quality but this issue seems to be secondary to natural resource issues. DEC and EPA Region 2 are not in control; often we are a minority in the management forum.

Opportunities to Strengthen: (General Implementation Strategy)

Increase level of involvement by DEC and Region 2 to insure water quality issues are addressed.

II.B.2.b.3. Remedial Action Plans

Strengths:

The program has taken a multi media/ecosystem approach to water quality related problem solving.

The Remedial Action Plans (RAPs) are a good summary of problems in AOC and all programs activities. They are a good foundation for a watershed planning process.

They provide an opportunity for local involvement via the CACs and Monroe Co.

Weaknesses:

In general, the RAPs are not meeting the expectation that there would be significant local support for implementation.

They have not been utilized by programs as a planning tool, as effectively as possible.

In some AOCs, dealing with contaminated sediments has been a barrier to progress.

Relationship between RAPs and NRTMP/LO LaMP is often unclear to participants and to the public.

Opportunities to Strengthen: (General Implementation Strategy)

Improve communications between RAPs and other programs, including NRTMP and LaMPs.

Establish measurable goals.

Priority Areas to Strengthen in 97/98:

Strengthen DEC regional role.

Begin to focus on clarifying delisting criteria/mechanisms.

II.B.2.c. Onondaga Lake Management Conference

Strengths:

The Onondaga Lake Management Conference (OLMC) has developed the Onondaga Lake Management Plan (OLMP) which identifies corrective actions for water quality remediation of Onondaga Lake, with respect to conventional pollutants. It acknowledges that Onondaga County is required under its judicial order on consent to submit an approvable MCP/DEIS for their Metropolitan Syracuse Wastewater Treatment Plant (METRO) and combined sewer overflows (CSOs) . The MCP/DEIS has been submitted and has been deemed to be unacceptable by DEC. In addition, the Lake and related contaminated areas were listed on the NPL in December 1994. NYSDEC was selected by EPA to act as the lead agency for the Lake's remediation program.

Implementation has already begun with regard to a NPS control program and a pilot lake habitat restoration program as per the recommendations in the OLMP and available funding.

Weaknesses:

Despite the significant progress made towards the development of an approvable project, the parties to the Judicial Order have still not come to agreement on the final plan. Another year has passed with no significant progress towards corrective action for Metro and the CSOs. The judicial order and the SPDES permit need to be revised in order for this project to proceed.

Opportunities to Strengthen:

The parties continue to work towards development of an approvable project along with mechanisms for funding. DEC and the NYS Attorney General are working on a revised judicial order requiring the implementation of an approvable project. DEC is developing a revised SPDES permit.

Priority Areas to Strengthen in 97/98:

Resolution of the litigation, development of an approvable project and the issuance of a revised judicial order and SPDES permit for Metro and the CSOs are the top priorities.

II.B.2.d. Long Island Sound Study

Strengths:

The Long Island Sound Program has made significant progress in controlling the discharge of nitrogen to Long Island Sound. Phase I nitrogen limits have been incorporated into permits and Phase II reductions have been initiated. Work has continued on ambient monitoring, completion of the LIS 3.0 Water Quality Model, revised D.O. targets and planning zone load allocations. In addition, progress has also been made in addressing toxics, pathogens and habitat protection.

Weaknesses:

The Long Island Sound Program has not focused on other issues of concern like contaminated sediment, toxics, pathogens and the development of strategies to improve water quality of the near coastal embayments. Outreach to other stakeholders beyond environmental advocates needs to be enhanced.

Opportunities to Strengthen:

Continue to meet with permittees and local elected officials to identify problem areas and develop strategies to address concerns regarding the development of nitrogen targets.

Work with local governments to develop plan to protect and restore water quality in coastal embayments and to protect and restore habitat.

Continue recent efforts to broaden LISS scope including:

- develop and implement habitat restoration targets
- develop embayment specific strategies and comprehensive watershed management plans
- update Long Island Sound dredged sediment management plan

Develop system to track implementation of the CCMP and integrate with information on indicators e.g. nitrogen loads, to assess programmatic and environmental progress.

Priority Areas to Strengthen in 97/98:

Finalize Phase III Nitrogen Reduction Targets

Joint CT/NY/EPA Development of TMDL/WLA/LA for implementation of Nitrogen Reduction Plan

Begin Development of Zone Management Plans

II.B.2.e. NYC Watershed (Catskill/Delaware and Croton)

Strengths:

NYSDEC and NYSDOH are uniquely positioned to continue to assist EPA in monitoring compliance with the federal Surface Water Treatment Rule (SWTR) of the Federal Safe Drinking Water Act (SDWA) as it applies to the New York City water supply system and to continue to assist New York City in achieving compliance with the SWTR. NYSDEC and NYSDOH can also assist the New York City Department of Environmental Protection (DEP) in complying with the EPA Filtration Avoidance Determination (FAD). NYSDEC implements the National and State Pollutant Discharge Elimination System (N/SPDES) permit program in NY, as well as other Federal Clean Water Act (CWA) programs, and the State Water Resources Law (Environmental Conservation Law Article 15). NYSDOH is responsible for approving and adopting Watershed Rules and Regulations and is the

primacy agent in NYS for the SDWA. NYSDOH and NYSDEC are positioned to assume major roles in implementing the Memorandum of Agreement (MOA) among the major stakeholders concerned with the DEP watershed protection program.

Weaknesses:

There remains a significant workload in implementing the comprehensive final Watershed MOA signed on 1/97. Implementation of the MOA will require the development of an enhanced monitoring program, an enhanced compliance assurance and assistance program, implementation and enforcement of newly revised Watershed Rules and Regulations, a State land acquisition program, total maximum daily loads (TMDLs) for each reservoir, and proposed SPDES permit modifications, among other things. Implementation will require enhanced coordination among EPA, and NYSDOH, NYSDEC, DEP and the Watershed communities. It also involves compliance oversight of a NYSDEC water supply permit which authorizes the DEP Watershed land acquisition program and Watershed Rules and Regulations adopted by New York City and proposed to be adopted by NYSDOH. Dedicated NYSDEC and NYSDOH resources to implement the MOA have not yet been realized. EPA needs to support NYSDEC and NYSDOH in obtaining appropriate federal funds for effective implementation.

Opportunities to Strengthen:

NYSDEC and NYSDOH will work closely with EPA and NYCDEP to assist in implementation of the FAD consistent with NPDES responsibilities, and will also work closely with all stakeholders to implement the Watershed MOA and to begin to implement the new and enhanced programs required by the MOA. Where appropriate, NYSDEC and NYSDOH will build on existing successful models such as the Watershed Enforcement Coordinating Committee (WECC) meetings, conducted by NYSDEC, and DEP, with attendance by EPA and DOH, to ensure adequate coordination. NYSDOH and NYSDEC will assemble teams of technical and legal staff dedicated to the Watershed initiative; this may require trade-offs elsewhere in the PPA. NYSDEC will also continue to implement relevant provisions of the 1993 NYSDEC-DEP MOU, including the WECC.

Priorities Areas to Strengthen in 97/98:

Given commensurate State funding resources, NYSDEC will establish a NYC Watershed Section within the Bureau of Watershed Compliance Programs which will be dedicated to implementation of DEC Division of Water activities under the MOA and FAD and continued implementation of the DEC/DEP MOU of September, 1993. NYSDOH will establish a Watershed Unit within the Bureau of Public Water Supply Protection which will be dedicated to implementation of NYSDOH activities under the MOA and FAD, particularly as they relate to the implementation of Watershed Rules and regulations and

development and evaluation of ongoing and enhanced monitoring programs initiated in the NYC Watershed.

II.B.2.f. Peconic Estuary

Strengths:

The Peconic Estuary Program (PEP) has made good progress in pulling together the necessary stakeholders for developing and implementing the Comprehensive Conservation and Management Plan (CCMP). An Action Plan has been prepared and demonstration projects are underway to address priority issues, including Storm water Management and shellfish resources, using funds available from a variety of sources [CWA § 104(b)(3), 319, 320, 604(b)] The Management Conference and other participants have renewed efforts to address the recurring Brown Tide. The State has adopted a nitrogen guideline for the estuary and "no net increase" permits are being put in place for point sources, and a water quality preservation policy is being considered. An active CAC has been prepared and is carrying out a comprehensive public participation campaign, including outreach through print, radio, and cable television, targeting residents (especially students) and local businesses.

NOAA has provided $1.5 million to investigate the causes and management of Brown Tide.

Weaknesses:

Though there have been delays in preparing drafts of the CCMP, the participants are working to complete the draft CCMP by July 1997 and the transmittal of the final CCMP to the EPA Administrator by April 1998. Early work plans focused on water quality-related tasks; an emphasis now needs to be placed on advancing the knowledge of the living resources of the estuary. Delays in the award of FFY 1996 funds led to delays in completing work necessary to develop the CCMP on time. Finally, all work by all stakeholders related to Brown Tide research and management needs to be coordinated to ensure efficient and effective use of resources.

Opportunities to Strengthen:

Focus on meeting milestones in the schedule for completing the CCMP.

Identify and fill gaps related to assessing and managing living resources.

Coordinate a comprehensive Brown Tide research and management effort at all levels of government and with the private sector.

Effectively use targeted NYS Bond Act Funds.

Priority Areas to Strengthen in 97/98:

In SFY 97/98 emphasis will focus on making progress in completing the CCMP, particularly in matters of natural resource characterization and management.

II.B.2.g. NY/NJ Harbor Estuary/Bight Program

Strengths:

The HEP has made significant progress in early implementation of management actions such as the development of a site specific copper standard and the development of TMDLs and WLAs for metals discharges to the Harbor.

The CCMP has been approved by the Policy Committee and has received concurrence by the Governors of NY and NJ, and has been forwarded to the EPA Administrator for approval.

DEC has been an active participant in all work groups.

EPA Administrator Browner gave Final Approval to the HEP CCMP in March 1997, following the concurrences of Governors Pataki and Whitman, in January 1997.

Weaknesses:

NYS and EPA commitments in the CCMP include dedicating substantial base program resources to specific actions in the plan. Full implementation of the commitments in the CCMP is based on continued funding of EPA and NYS base programs at current levels. Unfortunately, funding at current levels is not assured. This includes continuing the management conference and tracking CCMP implementation. The HEP lacks base program financial support to conduct public outreach activities.

Opportunities to Strengthen:

There is a need to establish a HEP Office to coordinate and monitor implementation activities. HEP needs to develop a monitoring and tracking system to insure the priority commitments and recommendations are implemented.

Focus on implementation of EPA and DEC's commitments referenced in Section III, "NY/NJ Harbor Estuary/Bight", including creation of a HEP Office.

Priority Areas to Strengthen in 97/98:

Emphasis in SFY 97/98 will focus on implementation of EPA and NYSDEC commitments contained in the CCMP and the development of a monitoring and tracking system.

II.B.2.h Reserved

II.B.2.i. Reserved

II.B.2.j. Citizen Statewide Lake Assessment Program

Strengths:

Citizen Statewide Lake Assessment Program (CSLAP) forges a strong linkage between government and the private sector by encouraging and training lay people to collect the information necessary to effectively manage their community water resources. Furthermore, it links multiple State agencies with local governments and lake associations, providing data required by government to assess water quality conditions throughout the State, and providing education and technical guidance to lake front property owners about lake ecology and lake management. CSLAP gathers information not otherwise available to government and lake managers, and does so at a minimal cost to the program partners.

Weaknesses:

This program does not possess sufficient resources to collect all the information necessary to comprehensively understand specific lake issues, nor is it able to satisfy the demand from many NYS lake communities to participate in the program or expand their informational bases. CSLAP has not yet been fully expanded to provide adequate technical assistance needed by many NYS lake communities drafting comprehensive lake Management plans.

Opportunities to Strengthen:

During 1997, 40 additional lakes will be added to the program. Continued cooperation between NYSDEC and NYS Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) will allow an expanded CSLAP effort on State Parks lakes and the Great Lakes. A grant application submitted to EPA to extend the CSLAP to middle school students is pending with EPA. Enhanced cooperation with the NYS Lake Management Forum will improve the ability to affect local management decisions prompted by participation in CSLAP. A pilot watershed planning project presently conducted by the DOW and Federation of Lake Associations (NYSFOLA) may provide a template for

utilizing CSLAP information (and reconfiguring sampling and surveying methodologies) to address local management needs.

Priority Areas to Strengthen in 97/98:

The number of CSLAP-sampled lakes will be expanded substantially in 1997 by utilizing resources not presently allocated to CSLAP, and additional technical assistance to CSLAP lakes will be provided via connection to the DOW-NYSFLA watershed planning project.

II.B.2.k. Finger Lakes

Strengths:

At present, the Department administers an annual cooperative agreement of 1.2 million dollars with the Finger Lakes Association Water Resources Board (FLA/WRB). The funding is solely from the State budget, although efforts are made to augment these activities with federal funds, as individual projects are proposed by the member counties of the FLA/WRB. Each county in the Finger Lakes region prepares a workplan for items that may include water quality monitoring, aquatic vegetation management, nonpoint source planning and implementation. During 1996, DEC developed a water quality monitoring program for all eleven Finger Lakes. Some counties conduct special water quality studies on specific catchments and lakes, and DEC has begun synoptic sampling of the lakes in the region. Preliminary efforts were undertaken to develop management plans for Owasco Lake, Seneca Lake and Skaneateles Lake. The Finger Lakes are explicitly mentioned as candidates for water quality improvement projects in the Clean Water-Clean Air Bond Act.

Weaknesses:

The Finger Lakes region is quite large and rich in water resources. It contains the eleven large lakes (Cayuga, Seneca, Skaneateles, Otisco, Owasco, Keuka, Honeoye, Hemlock, Canandaigua, Conesus and Canadice) plus numerous smaller lakes and ponds with public access. Often, an individual county's annual share of the State program is less than $50,000/ year. The eleven lake monitoring program, initiated during 1996 needs to be expanded to include tributary sampling, more sampling for toxic materials, such as PCBs and mercury. An overarching State of the Lakes report should be prepared for the eleven lakes and their watersheds. Each lake and its watershed should also have a Management Plan prepared over a ten year time frame.

Opportunities to Strengthen:

With additional funding, the monitoring program could be expanded to include more frequent sampling, sampling of toxics and tributary chemistry. A survey of public

perception of the water quality of the lakes will be conducted. A "State of the Finger Lakes" semi-technical document will be prepared in draft. The purpose of this document will be to describe the present ecological and socio-economic condition of the lakes and their watersheds. Additional program resources could be directed at expediting the three ongoing management plan efforts described above and adding other lakes (Keuka, Conesus and Cayuga) to the management plan effort. Funds available from the Bond Act need to be targeted at upgrading wastewater treatment facilities, expanding nonpoint source control measures, habitat restoration projects and pollution prevention efforts.

Priority Areas to Strengthen in 97/98:

The priority areas to strengthen during 97/98 will be to expand the effort to prepare management plans for as many of the Finger Lakes as possible. Also, implementation of the Bond Act will be a top priority.

II.B.2.l. Lake Champlain Management Conference

Strengths:

The Lake Champlain Management Conference has completed the comprehensive management plan (*Opportunities for Action*, 1996) for Lake Champlain and its watershed. The plan makes a number of specific recommendations for protecting and restoring the Lake, from a wide variety of perspectives, including eutrophication, toxics, non-point source management and fisheries management. The State of New York has provided additional funding to augment this effort. A Long-Term Monitoring program for the Lake has been conducted for the last five years. Activities to date include an assessment of alternative technologies for phosphorus reduction at the Lake Placid STP, a study of toxics in urban wastewater and a preliminary assessment of PCB cycling in Cumberland Bay and the Lake proper. The three highest priorities in the plan are phosphorus control, toxics management and nuisance aquatics management.

Weaknesses:

With the passage of the Clean Water-Clean Air Bond Act, NYS has identified the funding source for implementing the key recommendations in the Lake Champlain Plan. Additional funds from Federal sources and the State Environmental Protection Fund will be used to fund Plan recommendations that are not eligible for Bond Act funding. The key weakness is that during 97/98, DEC may not have the ability to implement the recommendations in the Plan if it is unable to maintain existing staff. Also, if an adequate level of Federal funds is not provided, the Long-Term Monitoring Program may be scaled back.

Opportunities to Strengthen:

Federal funds should be provided to increase the level of staffing to implement the recommendations in the Plan. Federal implementation programs undertaken by the Lake

Champlain Basin Office should be merged with those being managed by DEC (Bond Act, EPF, 319, etc.)

Priority Areas to Strengthen in 97/98:

The priority area for 97/98 is to implement the highest priority items in the Plan. To expedite implementation, DEC will require Federal funds to support staffing efforts.

SECTION III - STRATEGIC PLAN

The Strategic Plan details the work that the State of New York and EPA Region 2 are planning to accomplish between April 1, 1997 and March 31, 1998 (New York State's fiscal year). The previous section identified the various immediate and long term opportunities we saw that would strengthen our programs and our CBEP initiatives. The immediate and near term opportunities have been incorporated into this year's Performance Partnership Agreement. The remaining opportunities will be re-evaluated next year when the PPA is renewed and if still appropriate, incorporated into the next agreement.

Embodied in the PPA are numerous planned outputs with target dates. Accountability will be based on the discrete list of environmental and programmatic indicators that is included in Section IV**:** Selected Program Performance Measures and Environmental Indicators.

The State and EPA Region 2 will seek to accomplish these planned outputs by the target dates. However, factors that are not in our control, such as budgets of both the federal and State government as well as the staffing levels and non-personal service funds related to these may impact on our abilities to timely achieve all of the outputs.

It is our belief that all of the initiatives will lead to improvements in the environmental indicators but some will have more impact and have a higher priority than others. Our priority process, as to which initiatives are completed and which are postponed or delayed, will be based on joint consultations between the State and EPA as full partners in New York's surface, groundwater, and public water supply protection programs. However, under the basic premise of the Performance Partnership Program, the State will have primacy in determining the priority surface water, groundwater, and public water supply protection issues within New York State.

Under the Performance Partnership Agreement, the State will use the flexibility granted it by the EPA to assure that the most important initiatives, i.e., those with the biggest impact on the environment, are fully funded and carried out. The EPA will assure that we have chosen the initiatives correctly by its review of the program measures and environmental indicators described in Section IV: Selected Program Performance Measures and Environmental Indicators.

III.A. BASE PROGRAMS

III.A.1. Underground Injection Control[3]

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
EPA ACTIVITIES: COMPLIANCE AND ENFORCEMENT - CLASS V WELLS ○ IDENTIFY AND REGULATE FACILITIES OPERATING ENDANGERING SHALLOW INJECTION WELLS - FOCUS ON LONG ISLAND, PRIMARY/SOLE SOURCE AQUIFER AREAS, AND NEW YORK CITY WATERSHED UTILIZING GIS FOR INSPECTION TARGETING (ONGOING) - ENSURE CLEAN CLOSURE OR ISSUE PERMITS AS APPROPRIATE - ENFORCE AGAINST RECALCITRANT OWNER/OPERATORS AS NECESSARY ○ ENSURE COMPLIANCE OF WELLS AUTHORIZED BY RULE OR BY PERMIT - COMPLIANCE REVIEWS - TIMELY AND APPROPRIATE ENFORCEMENT RESPONSE - FOCUS ON SIGNIFICANT NON-COMPILERS ○ USE SDWA § 1431 EMERGENCY ORDERS IN CASES OF IMMINENT AND SUBSTANTIAL ENDANGERMENT ○ MULTIMEDIA ENFORCEMENT - PARTICIPATE IN REGION 2 MULTIMEDIA INSPECTIONS (EPA) - FOLLOW-UP ENFORCEMENT ACTIONS AS APPROPRIATE	○ LIMITED ACTIVITY ON CLASS V WELLS IN AREAS NOT GEOGRAPHICALLY TARGETED ○ DECREASED CLASS IIR, III INSPECTIONS. REDUCED CLASS IIR, III COMPLIANCE REVIEW FREQUENCY	○ FOLLOW-UP ENFORCEMENT ACTIONS AS APPROPRIATE IN MULTIMEDIA AQUIFER PROTECTION PROJECT AREAS FROM PRIOR FISCAL YEARS (EPA) ○ NEW YORK CITY WATERSHED INITIATIVE - FOLLOW-UP ENFORCEMENT ACTIONS AS APPROPRIATE

[3]The UIC program is not delegated to NYS, therefore all identified activities are funded by state funds or are carried out by EPA Region 2 staff.

III.A.1. Underground Injection Control[4]
(CONT.)

BASE PROGRAMS	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
PERMITTING: ○ ISSUE PERMITS TO NEW, HIGH PRIORITY CLASS V WELLS ○ MODIFY EXISTING PERMITS AS NEEDED ○ REGULATE CLASS II AND III INJECTION WELLS MANAGEMENT OF CLASS II & III WELLS ○ ISSUE CONSTRUCTION/OPERATION PERMITS FOR NEW CLASS II, III WELLS ○ ENSURE COMPLIANCE WITH OPERATING REQUIREMENTS: MECHANICAL INTEGRITY, MAXIMUM INJECTION PRESSURE, AREA OF REVIEW/CORRECTIVE ACTION, INJECTION FLUID SOURCE, COMPOSITION, AND SUBSIDENCE MONITORING (CLASS III) ○ TIMELY AND APPROPRIATE ENFORCEMENT RESPONSE ○ FOCUS ON SIGNIFICANT NON-COMPLIERS ○ USE SDWA § 1431 EMERGENCY ORDERS IN CASES OF IMMINENT AND SUBSTANTIAL ENDANGERMENT DEC ACTIVITIES ○ DRILLING PERMITS FOR NEW WELLS INCLUDING: - CASING AND CEMENTING REQUIREMENTS - FINANCIAL SECURITY - SUBSIDENCE MONITORING REPORTS (CLASS III) ○ ENSURE COMPLIANCE THROUGH INSPECTIONS AND REPORT REVIEWS		

[4]The UIC program is not delegated to NYS, therefore all identified activities are funded by state funds or are carried out by EPA REGION 2 staff.

III.A.1. Underground Injection Control[5]
(CONT.)

BASE PROGRAMS	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
JOINT ACTIVITIES ○ COORDINATE ON NEW WELL PERMITTING REQUIREMENTS INCLUDING AREA OF REVIEW, MAXIMUM INJECTION PRESSURE ○ ENSURE PROPER, TIMELY PLUGGING AND ABANDONMENT OF CLASS II WELLS IN ACCORDANCE WITH 1991 DEC/EPA MEMORANDUM OF AGREEMENT ○ ENSURE PROPER, TIMELY PLUGGING OF CLASS III WELLS		

[5]The UIC program is not delegated to NYS, therefore all identified activities are funded by state funds or are carried out by EPA REGION 2 staff.

III.A.2. Groundwater Management

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
DEVELOP COMPREHENSIVE STATE GROUND WATER PROTECTION PROGRAM (CSGWPP) ○ COORDINATE THE PROVISION OF TECHNICAL ASSISTANCE TO STATE AGENCIES IN DEVELOPMENT AND IMPLEMENTATION OF CSGWPPS (EPA). ○ FINALIZE CSGWPP TO GET CORE PROGRAM ENDORSED BY EPA (DEC). ○ COORDINATE WITH THE NPS AND 604(B) PROGRAMS (DEC). ○ PROVIDE COPY OF NPS/GROUND WATER MANAGEMENT PROTOCOL (EPA). ○ CONDUCT PEER REVIEW OF DEC CSGWPP PRODUCTS. (EPA) ○ IMPLEMENT RECOMMENDATIONS IN THE REGIONAL REVIEW INCLUDING MSDE DATABASE DEVELOPMENT (SHARE DATABASE PRELIMINARY DESIGN WITH DEC). (EPA) - PROVIDE TECHNICAL ASSISTANCE TO DEC. ○ COORDINATE GROUNDWATER MANAGEMENT WITH DRINKING WATER SOURCE PROTECTION AND WATERSHED MANAGEMENT		

III.A.2. Groundwater Management
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ REPORT TO EPA ON WHP ACTIVITIES IN BIENNIAL REPORT DUE 10/97 (DEC). ○ PROVIDE GUIDANCE TO DEC ON BIENNIAL REPORT BY 2/97 (EPA). ○ PROVIDE CONSULTATION AND TRAINING ON IMPLEMENTING WHP PROGRAMS FOR REGIONAL OFFICES (DEC). ○ IDENTIFY FUNDING OPPORTUNITIES FOR LOCAL GOVTS. (EPA). ○ COMPLETE ACTIVITIES IN MMAPP AREAS (EPA). ○ DEVELOP GIS CAPABILITIES AT LOCAL LEVEL AND COORDINATE WITH DEC (EPA). o CONTINUE TO IMPLEMENT & OVERSEE SPDES PROGRAMS FOR GROUNDWATER DISCHARGE o COORDINATE WHP GUIDANCE OUTREACH WITH DOH SOURCE WATER PROTECTION PROGRAM (DEC) o COORDINATE GROUNDWATER MANAGEMENT ELEMENTS WITH NPS AND WATERSHED MANAGEMENT PROGRAMS (DEC) o CONTINUE TO IMPLEMENT AND OVERSEE GROUNDWATER WATER SUPPLY PERMIT PROGRAMS		

III.A.2. Groundwater Management
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
<u>SOLE SOURCE AQUIFER PROGRAM</u> ○ DESIGNATE NEW SSA AREAS, AS APPROPRIATE, IN RESPONSE TO PETITIONS. (EPA, WITH STATE INPUT) ○ REVIEW FEDERALLY-FUNDED PROJECTS IN DESIGNATED SSA AREAS (EPA) CORTLAND-HOMER-PREBLE, NY CATTARAGUS CREEK, NY CLINTON ST.-BALLPARK, NY SCHENECTADY/NISKAYUNA, NY BROOKLYN/QUEENS, NY NASSAU/SUFFOLK, NY ○ DEC WILL ISSUE AN SNC REPORT ON SOLE SOURCE AQUIFER AREAS.	○ SCREEN PROJECTS IN DESIGNATED SSAs. DO NOT REVIEW UNLESS PROJECT CAN MITIGATE SIGNIFICANT ADVERSE IMPACTS TO GROUND WATER.	

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
CWA SECTION 305(B) REPORTS ○ 305(B) REPORT DUE AUGUST 2001. ○ DEVELOP STATE-BY STATE, WATER QUALITY INVENTORY REPORTS TO ALLOW EPA AND THE STATES TO SUMMARIZE WATER QUALITY IMPROVEMENTS, CURRENT STATUS AND REMAINING PROBLEMS. PROVIDE FIRST ANNUAL ELECTRONIC UPDATES. (8/97) - MUST BE A USEFUL TOOL FOR COMMUNICATING WITH THE PUBLIC. - MATRICES INCLUDE STATE TARGETED WATERS, AS APPROPRIATE. - MUST PROVIDE NECESSARY INFORMATION TO ALLOW EPA TO PREPARE NATIONAL WATER QUALITY INVENTORY REPORT.		

III.A.3. Surface Water Quality Management
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
CWA SECTION 303(C): SURFACE WQS ○ STATE SUBMITTAL OF WATER QUALITY STANDARDS REVISIONS (10/97) ○ NYS WILL ADOPT STANDARDS TO MEET TRIENNIAL AND GLI REQUIREMENTS THEY WILL INCLUDE: GLI SUBSTANCES, OTHER BCCs, DISSOLVED METALS, NY WATERSHED SUBSTANCES OF CONCERN AND OTHER SELECTED PARAMETERS. GLI AQUATIC STANDARDS WILL BE APPLIED STATEWIDE TO ALL FRESHWATERS. ALL FISH CONSUMPTION-BASED STANDARDS FOR BCCs WILL BE APPLIED STATEWIDE, INCLUDING TO MARINE WATERS. WILDLIFE STANDARDS FOR THE FOUR GLI SUBSTANCES WILL BE APPLIED STATE-WIDE.	○ LIMIT EFFORTS ON BIOLOGICAL INDICATORS TO THOSE CURRENTLY UNDERWAY UNDER THE AUSPICES OF THE LAKE ONTARIO TOXICS MANAGEMENT PLAN AND THE NY/NJ HARBOR ESTUARY PROGRAM.	NEW YORK/NEW JERSEY HARBOR ○ ADOPT SITE-SPECIFIC WATER QUALITY STANDARD FOR COPPER (DEC). (10/97) PROGRAMMATIC INITIATIVE ○ BIOACCUMULATION-BASED CRITERIA FOR THOSE SUBSTANCES OF CONCERN SHOULD BE ADOPTED AS PART OF THE NEXT TRIENNIAL REVIEW/REVISION IN 1997. (10/97) PECONIC ESTUARY PROGRAM ○ DEVELOP WATER QUALITY PRESERVATION POLICY FOR THE EASTERN PECONIC SYSTEM IN A TIME FRAME CONSISTENT WITH PECONIC ACTION PLAN (DEC/EPA)

III.A.3. Surface Water Quality Management
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
CWA SECTION 303(C): SURFACE WQS (CONT.) ○ WATER QUALITY REGULATIONS WILL BE REVISED TO BE CONSISTENT WITH GLI STANDARD-SETTING PROCEDURES AND VARIANCE PROVISIONS. ○ NEW YORK WILL INCLUDE STANDARD-SETTING PROCEDURES FOR WILDLIFE AND BIOACCUMULATION FACTORS IN TOGs CONSISTENT WITH GLI. ○ COMPLETE RECLASSIFICATION PROCESS IN FY'97 CWA SECTION 303(D): TMDLs, WLAs AND LAs ○ CONTINUE TO OPERATE TMDL/WL/LA PROGRAM IN NEW YORK STATE (DEC). ○ DEVELOP AND SUBMIT FOR EPA APPROVAL TMDLs/WLAs/LAs FOR ALL 303(d) LISTED WATERS IDENTIFIED AS HIGH PRIORITY WATERS, INCLUDING THOSE WATERS ON THE SECTION 303(d) LISTS FOR WHICH MANAGEMENT CONFERENCES HAVE BEEN ESTABLISHED SUCH AS LAKE ONTARIO, ONONDAGA LAKE[6], LAKE CHAMPLAIN[4], NEW YORK/NEW JERSEY HARBOR, LONG ISLAND SOUND AND PECONIC BAY. THE NEED FOR TMDL DEVELOPMENT FOR THESE WATERS, WILL BE DEVELOPED THROUGH MULTI-YEAR EFFORTS. - SUBMIT ALL DRAFT/FINAL AND PUBLIC NOTICE TMDL/WLA/LA (DEC). - REVIEW FOR APPROVAL (EPA) - IMPLEMENT TMDLs/WLAs/LAs APPROVED BY EPA (DEC)		GREAT LAKES ○ DEC CONDUCTS THE SPECIAL EFFORT, UNDER THE STATE'S ENVIRONMENTAL BENEFIT PERMITTING STRATEGY, TO EMPLOY EEQ-BASED LIMITS FOR BCCs FOR SELECTED PRIORITY DISCHARGES USING BPJ-BASED PERMIT MODIFICATIONS. (EPA/DEC) ○ IMPLEMENT ANTIDEGRADATION (DEC) (10/97) - DEC IMPLEMENTATION IN THE GREAT LAKES BASIN ACCORDING TO THE FINAL GLI (NO LATER THAN 2 YEARS AFTER THE FINAL GLI IS PUBLISHED) (10/97) IDENTIFY TRADE-OFFS AS NECESSARY

[6]MANAGEMENT CONFERENCES HAVE BEEN CONVENED FOR LAKE CHAMPLAIN AND ONONDAGA LAKE, AND THESE CONFERENCES ARE INVESTIGATING THE NEED FOR TMDLs AND WLAs FOR THE LISTED POLLUTANTS. NEW YORK STATE ACKNOWLEDGES THAT TMDLs MAY STILL BE DEVELOPED FOR THESE WATERBODIES. TMDL DEVELOPMENT WILL BE PURSUED IN CONCERT WITH THE EFFORTS OF THE RESPECTIVE MANAGEMENT CONFERENCES.

III.A.3. Surface Water Quality Management
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ WORK WITH EPA TO DEVELOP, AS NECESSARY, PHASE II, TMDLs/WLAs/LAs FOR THE APPLICABLE TOXIC METALS IN THE HARBOR (DEC). ○ DEC WILL CONTINUE TO WORK WITH EPA TO DOCUMENT NEW YORK STATE'S PROGRAM ACTIVITIES RELATED TO SECTION 303(d) OF THE CLEAN WATER ACT TOWARDS THE RESOLUTION OF LITIGATION OF THE LAWSUIT. ○ DEVELOP, PUBLIC NOTICE, RESPOND TO COMMENTS AND SUBMIT TO EPA THE 1998 303(D) LIST BY APRIL 1, 1998.		<u>NEW YORK/NEW JERSEY HARBOR</u>: ○ IMPLEMENT, AS NECESSARY, PHASE I AND COORDINATE IN THE DEVELOPMENT OF PHASE II TMDLs/WLAs/LAs FOR TOXIC METALS (EPA/DEC). <u>LONG ISLAND SOUND</u>: ○ DEVELOP TMDLs/WLAs/LAs FOR NITROGEN (EPA/DEC). <u>GREAT LAKES</u>: ○ IMPLEMENT ACTIONS CONSISTENT WITH THE GOALS OF THE NRTMP TO REDUCE TOXIC CHEMICALS IN THE NIAGARA RIVER BY REDUCING INPUTS FROM SOURCES ALONG THE RIVER. ○ IMPLEMENT ACTIONS CONSISTENT WITH THE GOALS OF THE LAKE ONTARIO LAMP TO REDUCE CRITICAL POLLUTANTS BY REDUCING INPUTS FROM SOURCES IN THE LAKE ONTARIO BASIN. ○ USE OR IMPROVE INFORMATION/MODELS TO ASSIST IN ANSWERING MANAGEMENT QUESTIONS. - RELATIVE SOURCE CONTRIBUTIONS - EFFECTS OF LOAD REDUCTION ACTIONS OVER TIME - PREDICTIONS OF FUTURE CONDITIONS. ○ USE TMDLs/WLA TO SUPPORT LAKE ONTARIO LAMP LOAD REDUCTION STRATEGIES.

III.A.3. Surface Water Quality Management (CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
CWA SECTION 314: CLEAN LAKES PROGRAM ○ EFFECTIVE IMPLEMENTATION OF THE CLEAN LAKES PROGRAM, FOCUSING ON PROJECTS WITH ACHIEVABLE ENVIRONMENTAL BENEFITS. - PRIORITY FOR § 314 FUNDING WILL BE FOR PHASE I (DIAGNOSTIC/ FEASIBILITY) STUDIES. - PHASE II IMPLEMENTATION EFFORTS SHOULD BE COMPLETED WITH OTHER FUNDS (I.E., FUND ELIGIBLE FOR WATERSHED ACTIVITIES UNDER § 319). EPA ○ IMPLEMENT THE CAA PERMITTING PROGRAM TO REDUCE SULFUR EMISSIONS FROM DESIGNATED FACILITIES (POWER PLANTS) BEGINNING IN 1995. ○ REVIEW EPA-HQ'S RECENTLY COMPLETED TEN YEAR STUDY ON ACID RAIN AND SHARE THE FINDINGS, RESULTS, CONCLUSIONS WITH NYSDEC FOR POSSIBLE USE AS A BASIS FOR PROGRAM DIRECTION/DEVELOPMENT (EPA/DEC).		○ CONTINUE AMBIENT MONITORING TO DETERMINE THE EFFECTS OF ACID RAIN ON WATER QUALITY IN NEW YORK STATE (EPA/DEC). ○ CONTINUE TO PROVIDE THE STATE WITH ONGOING RESEARCH RELATED TO ACID RAIN. (E.G., EPA-HQ IS CURRENTLY BEGINNING A SECOND TEN YEAR STUDY ON ACID RAIN) (EPA/DEC).

III.A.3. Surface Water Quality Management
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
AMBIENT MONITORING ○ CONTINUE ANNUAL EPA/DEC PROGRESS MEETINGS. ○ CONTINUE TO REVIEW CURRENT SURFACE WATER QUALITY MONITORING EFFORTS TO ENSURE THAT THEY EFFICIENTLY AND EFFECTIVELY SUPPORT BASE PROGRAMS AND INITIATIVES. ○ CONTINUE THE EVALUATION OF CURRENT PROGRAMS INCLUDING THE RIBS, AS WELL AS, MONITORING OVERSIGHT, ANALYTICAL SUPPORT AND 305(b) REPORT QUALITY. ○ THE FOCUS OF THE MEETINGS WILL BE EXPANDED TO INCLUDE DISCUSSION OF: - AMBIENT MONITORING NEEDS IN MARINE WATERS (BUREAU OF MARINE RESOURCES IS THE NYSDEC LEAD). - BUILD ON NEP PROGRAM RECOMMENDATIONS. - SHELLFISH WATERS CONTAMINATED BY STORM WATER (NATIONAL LEVEL SCIENCE ADVANCE NEEDED). THE PARTICIPANTS WILL DEVELOP PRACTICAL AGREEMENTS THAT LIE WITHIN PROGRAM RESOURCES. ○ DEVELOP STATEWIDE MONITORING STRATEGY. (6/97) ○ EPA MAY PROVIDE HELICOPTER ASSISTANCE TO NYSDEC IN THE COLLECTION OF SURFACE WATER SAMPLES AND PROVIDE SIGNIFICANT ANALYTICAL SERVICES BASED ON PRIORITIES COORDINATED AND AGREED BY THE EPA REGIONAL OFFICE AND NYSDEC.		GREAT LAKES ○ USE THE R/V LAKE GUARDIAN TO COLLECT DATA ON ECOSYSTEM INDICATORS ASSOCIATED WITH THE LAKE ONTARIO LaMP. EXAMPLE: SPORT FISH TISSUE ○ COLLECT SEDIMENT CORES IN LAKE ERIE AT THE HEADWATERS OF THE NIAGARA RIVER TO ESTABLISH CONTAMINANT TRENDS. ○ STUDY FEASIBILITY AND USEFULNESS OF COLLECTING SEDIMENT CORES IN THE ROBERT MOSES AND SIR ADAM BECK RESERVOIRS TO ESTABLISH CONTAMINANT TRENDS. ○ CONDUCT BIOMONITORING ACTIVITIES IN SUPPORT OF THE NRTMP AND LAKE ONTARIO LAMP. EXAMPLES: SPOTTAIL SHINERS, MACROINVERTAEBRATES.

III.A.3. Surface Water Quality Management
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
WATER QUALITY MANAGEMENT PLANNING 604(b) ○ AS PART OF THE CONTINUOUS PLANNING PROCESS (CPP) DEC WILL CONTINUE TO SUMMARIZE AND IDENTIFY ELEMENTS OF EXISTING STATE PLAN; INCORPORATE THE FOLLOWING INTO THE WQMP UPON COMPLETION: - RAPs, - LaMPs, - CCMPs, - NYBRP, - PLANS DEVELOPED BY LAKE ONONDAGA AND LAKE CHAMPLAIN MANAGEMENT CONFERENCES. ○ INCORPORATE OTHER APPROVED PLANS, AS APPROPRIATE, AND ○ INCORPORATE EARLY OUTPUTS OF THESE PLANNING PROCESSES AS APPROPRIATE. ○ EPA HAS WAIVED ITS FINAL PASS THROUGH PROJECT REVIEW RESPONSIBILITY AND ALLOWS NYSDEC TO SERVE AS THE FINAL REVIEW AND APPROVAL AUTHORITY, AS APPROPRIATE, ON ALL PASS THROUGH PROJECTS CONSISTENT WITH THE PRINCIPLES OUTLINED IN THE MEMORANDUM OF AGREEMENT ○ PROVIDE TO EPA: (DEC) - COPIES OF EXECUTED WORKPLAN AND BUDGET - ANNUAL LIST OF ANTICIPATED PROJECTS TO BE FUNDED UNDER 604(b) WITH FISCAL YEAR FUNDING IDENTIFIED - ANNUAL REPORT ON STATUS OF ALL OUTSTANDING 604(b) FUNDED PROJECTS		

III.A.4. National Pollutant Discharge Elimination System Program

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
PERMITTING ○ TIMELY RENEWAL OF NPDES PERMITS, INCLUDING ADMIN. RENEWALS, IN ACCORDANCE WITH ENVIRONMENTAL BENEFIT PERMIT STRATEGY (EBPS). (DEC) ○ ISSUANCE OF NEW PERMITS FOR NEW SOURCES/NEW DISCHARGES. (DEC) ○ ISSUANCE OF INDIVIDUAL MUNICIPAL STORM WATER PERMIT FOR NEW YORK CITY. SUPPORTED BY 104(b)(3) FUNDING. (DEC) ○ CONTINUE PRIORITIZED LONG TERM PERMIT ACTION FOR CSOs , CONSISTENT WITH PWP LIST. SUPPORTED BY 104(b)(3) FUNDING. ○ PROVIDE AVAILABLE INFORMATION TO DEMONSTRATE PROGRESS IN CSO PROGRAM (DEC) ○ DEVELOPMENT AND ISSUANCE OF GENERIC PERMITS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFOs) AND FIRING RANGES THAT DISCHARGE TO SURFACE WATERS.	○ PERMIT RENEWAL WITHOUT REVIEW OR REVISION. PRIORITY ACTIONS WILL BE COMPLETED THROUGH PERMIT MODIFICATION. (DEC)	GREAT LAKES ○ IMPLEMENT ACTIONS CONSISTENT WITH THE PROPOSED REVISED GOAL OF THE NRTMP TO REDUCE TOXIC CHEMICALS BY REDUCING INPUTS FROM SIGNIFICANT POINT SOURCES ALONG THE RIVER. ○ IMPLEMENT ACTIONS CONSISTENT WITH THE GOALS OF THE LAKE ONTARIO LAMP TO REDUCE CRITICAL POLLUTANTS BY REDUCING INPUTS FROM SOURCES IN THE LAKE ONTARIO BASIN. ○ MODIFY PERMITS FOR BIOACCUMULATIVE CHEMICAL OF CONCERNS (BCCS) THROUGH BPJ IMPLEMENTATION USING EBPS[7] BY 1997. LIS/NY-NJ HARBOR/PECONIC BAY ○ TARGETED REGULATION OF STORM WATER DISCHARGERS THROUGH DEVELOPMENT AND EXECUTION OF APPROPRIATE STORM WATER ENFORCEABLE INSTRUMENTS IN REGIONS 1-3 USING 104(b)(3) RESOURCE. (DEC) NOTE: DEC ACTION IS DEPENDANT ON EPA PROMULGATION OF PHASE II STORM WATER REGULATIONS. ○ WORK WITH NEP PROGRAM PARTICIPANTS AND MUNICIPALITIES IN PREPARING AND SUBMITTING TO EPA A “NO-DISCHARGE ZONE” PETITIONS FOR VESSEL WASTE DISCHARGING.

III.A.4. National Pollutant Discharge Elimination System Program

[7] EBPS: ALL BASE PROGRAM ACTIVITIES AND SUPPORT FOR INITIATIVES WHICH RESULT IN AN IDENTIFIED NEED TO ISSUE OR MODIFY SPDES PERMITS, MUST BE IMPLEMENTED WITHIN THE CONTEXT OF THE ENVIRONMENTAL BENEFIT PERMIT STRATEGY (EBPS) PRIORITY RANKING SYSTEM. IN ALL CASES THE PERMIT WILL BE REPRIORITIZED IMMEDIATELY, BUT THE ISSUANCE OR MODIFICATION OF THE SPDES PERMIT WILL ONLY BE ACCOMPLISHED IN ACCORDANCE WITH ITS OVERALL EBPS PRIORITY AND THE PRIORITY OF ALL OTHER PERMITS. IF THIS RESULTS IN AN INABILITY TO TIMELY IMPLEMENT COMMITMENTS IN THE STRATEGIC PLAN, IT WILL BE PROMPTLY BROUGHT TO THE ATTENTION OF THE EPA AND DEC WATER DIRECTORS FOR DISCUSSION.

(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
PERMITTING (CONT.) ○ EPA OVERSIGHT THROUGH PERMIT QUALITY REVIEW. (EPA) ○ NYS WATER PROGRAM CHANGES TO ENSURE REGULATIONS/POLICIES REFLECT FEDERAL PROGRAM. (DEC) ○ REVISE STATE SOLID WASTE REGULATIONS (PART 360) AS RELATED TO SEWAGE SLUDGE MANAGEMENT TO INCORPORATE APPLICABLE PROVISIONS OF 503. (DEC) ○ CONTINUE TO DEVELOP DELEGATION AGREEMENT FOR SLUDGE PERMITTING. SUPPORTED BY 104(b)(3) FUNDING. (EPA/DEC) ○ CONTINUE ISSUANCE OF SLUDGE PERMITS UNDER SOLID WASTE PROGRAM. (DEC) ○ EXTEND COVERAGE TO STORM WATER GROUP APPLICANTS. SUPPORTED BY 104(b)(3) FUNDING. (DEC)	○ NO EPA REAL TIME REVIEW OF STATE PERMIT RENEWALS OR MODIFICATIONS. (EPA) ○ NO EPA-ISSUED SLUDGE PERMITS; RELY ON SELF IMPLEMENTING ASPECTS OF SLUDGE REGULATIONS. (EPA)	PROGRAMMATIC INITIATIVES ○ DEVELOPMENT OF MECHANISM FOR STATEWIDE PERMIT COMPLIANCE WITH CSO POLICY IN REGARD TO IMPLEMENTATION OF NINE MINIMUM CONTROLS AND DOCUMENTATION BY PERMITTEES BY 1997 USING 104(b)(3) RESOURCES. (DEC/EPA) ○ WICSS STRATEGIES IMPLEMENTATION. LONG ISLAND SOUND 104(b)(3) RGI ○ DEVELOP AND IMPLEMENT POINT/NONPOINT TMDLs/WLAs/LAs (BUBBLES) TO CONTROL NITROGEN DISCHARGES - WESTCHESTER - NEW YORK CITY - NASSAU/SUFFOLK NYC WATERSHED *○ MODIFY PERMITS TO INCLUDE WLAs DEVELOPED BY NYCDEP UNDER 303(D) TMDLs.

*** EBPS**

III.A.4. National Pollutant Discharge Elimination System Program
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
<u>COMPLIANCE AND ENFORCEMENT</u> ○ MAINTAIN PCS DATA BASE AS PRIMARY SOURCE OF COMPLIANCE INFORMATION, INCLUDING DATA Q.A. (DEC) ○ ENSURE MAJORS INSPECTION COVERAGE OF 80% OF UNIVERSE. (DEC) ○ ENSURE TIMELY AND APPROPRIATE ENFORCEMENT RESPONSE. (EPA/DEC) ○ MAINTAIN ENFORCEMENT RESPONSE LEVELS (FORMAL AND INFORMAL). (DEC) ○ IMPLEMENTATION OF BEACH CLOSURE ACTION PLAN FOR HARBOR/BIGHT AND SOUND. (EPA/DEC) ○ EVALUATE STATE DISCHARGE PERMIT CONDITIONS FOR COMPATIBILITY WITH REVISED NATIONAL SNC CRITERIA <u>COMPLIANCE ASSISTANCE</u>: ○ MANAGE WWTP OPERATOR CERTI-FICATION/TRAINING PROGRAMS (DEC) ○ MANAGE/CONDUCT ON-SITE TA PROJECTS SUPPORTED BY 104(g) (DEC)	○ REDUCE MAJORS INSPECTION COVERAGE BY 20% FOR FACILITIES WITH CONSISTENT COMPLIANCE RECORDS. UTILIZE RECONS INSTEAD (IN DEC REGIONS IMPLEMENTING INITIATIVES). (DEC) ○ ALLOW SELECTED EXCEPTIONS TO TIMELY AND APPROPRIATE CRITERIA TO ACCOMMODATE GEOGRAPHICALLY TARGETED ENFORCEMENT ACTIONS. (EPA/DEC) ○ ALLOW SELECTED ENFORCEMENT DISCRETION ON LOWER PRIORITY NPDES/SPDES VIOLATIONS TO ACCOMMODATE INCREASED PRIORITY (PWP) NON-POINT COMPLIANCE (SEE NPS MANAGEMENT SECTION).	<u>NY/NJ HARBOR</u> ○ USE REQUEST FOR INFORMATION LETTERS (UNDER THE AUTHORITY OF CWA §308s) TO DEFINE POLLUTANTS OF CONCERN. ○ SEEK OPPORTUNITIES TO DIRECT ENFORCEMENT SETTLEMENT MITIGATIVE ACTIONS TO IMPLEMENT PRIORITY ACTIONS IN HEP CCMP ○ IMPLEMENT BEACH CLOSURE/SHELLFISH BED ACTION PLAN <u>GREAT LAKES</u> ○ IMPLEMENT THE GREAT LAKES ENFORCEMENT STRATEGY FINALIZED IN 1993 TO REDUCE NON- COMPLIANCE AND REDUCE TOXIC LOADINGS IN THE BASIN (EPA/DEC) <u>MULTI-MEDIA ENFORCEMENT</u> ○ COORDINATE WITH EPA ON MULTI-MEDIA INITIATIVES WITHIN SPECIFIC GEOGRAPHICAL AREAS INCLUDING USE OF WORK SHARE APPROACH.

III.A.4. National Pollutant Discharge Elimination System Program
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
BYPASSES: ○ SHORT-TERM: BY 6/30/97 DEC AND EPA WILL DEVELOP AN INTERIM MOU TO CLARIFY DEC NOTIFICATION RESPONSIBILITIES, UNDER THE EXISTING TOGS, FOR EPA AND IDENTIFY OTHER APPROPRIATE IMPACTED PARTIES WHO SHOULD BE NOTIFIED. ○ LONG-TERM: DEC AND EPA WILL WORK TOWARDS A COMMON UNDERSTANDING OF CWA REQUIREMENTS FOR BYPASSES AND INCORPORATE THE TERMS OF THE INTERIM MOU AND APPROPRIATE BYPASS CONDITIONS, FOR PROPER REGULATORY CONTROL OF BYPASSES, IN A FINAL MOU AND REVISED TOGS. PRETREATMENT ○ IMPLEMENT PROGRAM UNDER TERMS OF INTERIM MOU PENDING DELEGATION. SUPPORTED BY 104(b)(3) FUNDING. (EPA/DEC) - ON PRIORITY BASIS AS RESOURCES ALLOW, REVIEW AND APPROVE, , NEW IPPs AND IPP MODIFICATIONS.(EPA) - PROVIDE CATEGORICAL DETERMINATIONS AS NECESSARY. (EPA) - REVIEW AND DECIDE ON REMOVAL CREDIT REQUESTS. (EPA) - MODIFY SPDES PERMITS BASED UPON PROGRAM MODIFICATIONS. (DEC) - CONDUCT INSPECTIONS OF FACILITIES RELEASING PRIORITY TOXICS IN ORDER TO IDENTIFY POLLUTION PREVENTION OPPORTUNITIES; INVESTIGATE OTHER POLLUTION PREVENTION OPPORTUNITIES.	○ REDUCE NEED FOR EPA/DEC ENFORCEMENT AGAINST CONTROL AUTHORITIES BECAUSE OF INCREASED EMPHASIS ON BOLSTERING LOCAL ENFORCEMENT AUTHORITY THROUGH PROGRAM APPROVALS AND MODIFICATION. (EPA/DEC)	GENERAL ○ USE ADD-ONS TO GEOGRAPHICALLY-TARGETED GRANTS TO FUND CONTRACTOR SERVICES TO ENHANCE LOCAL PROGRAM IMPLEMENTATION.

III.A.4. National Pollutant Discharge Elimination System Program
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
PRETREATMENT (CONT) - REVIEW IPP REPORTS. (DEC) - MAINTAIN PCS INCLUDING QNCR AND PCME SOFTWARE. (EPA) - PERFORM ANNUAL INSPECTIONS OF 80% IPPs WITH REDUCTION IN AUDITS. (EPA/DEC) - INSPECTIONS OF NON-LOCAL CIUs. (EPA) - ENSURE TIMELY AND APPROPRIATE ENFORCEMENT RESPONSE. (EPA/DEC) - UPDATE/MAINTAIN CIU INVENTORY IN NON-LOCAL AREAS. (EPA) ○ AWARD PRETREATMENT POLLUTION PREVENTION AWARD TO LOCAL POTW. (EPA) ○ REEVALUATE 11/24/92 MOU RE:ENHANCEMENT OF TIMELINESS OF ACTION ON MODIFICATION REQUESTS (EPA/DEC) ○ CONTINUE TO PURSUE FUNDING TO ALLOW PROGRAM DELEGATION TO DEC (EPA/DEC)		

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ CONSIDER WETLANDS STATUS & TRENDS (S&T) STUDIES FOR TARGETED WATERSHEDS, COUNTIES, OR REGIONAL AREAS (EPA/DEC) ○ FOLLOW-UP WITH ADVANCE IDENTIFICATION (AVID) IN AREAS EXPERIENCING OR EXPECTED TO EXPERIENCE SIGNIFICANT WETLANDS LOSSES (EPA/COE) ○ FOLLOW-UP WITH SPECIAL AREA MANAGEMENT PLANS (SAMPS) IN HIGH PRIORITY AREAS WHERE THERE IS A State/LOCAL GOVERNMENT SPONSORSHIP (EPA/COE) ○ USE S&T STUDIES TO IDENTIFY: - POTENTIAL ENFORCEMENT ACTIONS - PUBLIC OUTREACH OPPORTUNITIES & NEEDS - POTENTIAL MITIGATION AREAS (EPA) ○ USE S&Ts, AVIDs, SAMPs, TO IDENTIFY OPPORTUNITIES FOR GENERAL PERMITS (EPA/COE/FWS/NMFS) ○ SCREEN ALL COE PUBLIC NOTICES TO IDENTIFY MAJOR PERMIT ACTIONS. (EPA) - MINOR ACTIVITIES; BOTH RESOURCE THREAT AND CUMULATIVE IMPACT LOW - MAJOR ACTIVITIES; (MAJOR ACTIVITIES ARE THOSE FOR WHICH EITHER OR BOTH THE POTENTIAL RESOURCE THREAT AND CUMULATIVE IMPACT ARE HIGH) ○ PROVIDE WRITTEN COMMENTS ONLY FOR MAJOR ACTIVITIES. (EPA) - MAXIMIZE USE OF FORM LETTERS, AS APPROPRIATE. ○ PROTECT WETLANDS FUNCTIONS AND VALUES THROUGH REGULATION OF ACTIVITIES IN FRESHWATER AND TIDAL WETLANDS AND THE IMMEDIATE ADJACENT AREA (TROUGH ARTICLES 15,24,25, AND 404 WQC) (DEC) ○ RESTORE AND MANAGE FRESHWATER AND TIDAL WETLANDS THROUGH FOCUSED RESTORATION INITIATIVES (DEC)	<u>PUBLIC NOTICE REVIEWS</u> ○ NO WRITTEN COMMENTS ON MINOR ACTIVITIES. ○ USE FORM LETTERS, AS APPROPRIATE, FOR MAJOR ACTIVITIES. ○ NO 404(Q) ELEVATIONS UNLESS SITE-SPECIFIC IMPACTS ARE UNACCEPTABLE.	<u>TARGETED WETLANDS</u> ○ SARATOGA COUNTY ○ WESTERN NEW YORK INITIATIVE ○ STATEWIDE STATUS & TRENDS STUDY (DEC) ○ GREAT SWAMP (PUTNAM & DUTCHESS COUNTIES) WETLANDS ASSESSMENT STUDY (DEC) ○ STATEN ISLAND ○ MONROE COUNTY ○ PROVIDED FUNDING TO DEVELOP 401 WQ STANDARDS ○ PROVIDE STATE WETLAND GRANTS TO ASSIST IN DATA COLLECTION ○ PROVIDE DISCRETIONARY GRANTS FOR FURTHER DEVELOPMENT OF REFERENCE WETLANDS DATABASE FOR NEW YORK - NIAGARA FRONTIER, OSWEGO COUNTY , NYC WATERSHED ○ DEVELOP AND DISTRIBUTE GENERAL AND GEOGRAPHIC-SPECIFIC OUTREACH INFORMATION

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ MEASURE BASELINE DATA AND MONITOR CHANGES IN QUALITY OF WETLANDS THROUGH DEVELOPMENT OF A NETWORK OF REFERENCE WETLANDS (EPA.DEC) ○ SUPPORT AND PARTICIPATE IN REGIONAL, AREA-WIDE OR WATERSHED-BASED PLANNING (DEC) ○ IMPROVE COMPLIANCE WITH WETLANDS PROTECTION PROGRAMS BY IMPROVING PUBLIC AWARENESS OF WETLANDS VALUES AND GOVERNMENT PROGRAMS (DEC/EPA) ○ ENHANCE STATE WETLAND PROTECTION PROGRAMS THROUGH STATE WETLAND GRANT PROGRAM (EPA/DEC) ○ CONTINUE EPA'S RESEARCH EFFORTS ON REFERENCE WETLANDS, CONSULT WITH DEC AS APPROPRIATE (EPA/DEC) ○ SCREEN ALL POTENTIAL ENFORCEMENT CASES TO IDENTIFY MAJOR ACTIONS (EPA) -MINOR VIOLATIONS: BOTH RESOURCE THREAT AND CUMULATIVE IMPACT ARE LOW; NOT FLAGRANT -MAJOR AND/OR FLAGRANT VIOLATIONS:(MAJOR VIOLATIONS ARE THOSE FOR WHICH EITHER OR BOTH THE POTENTIAL RESOURCE THREAT AND CUMULATIVE IMPACT ARE HIGH ○ RESPOND TO ALL MAJOR AND/OR FLAGRANT VIOLATIONS TAILORING THE RESPONSE TO ENSURE MAXIMUM ENVIRONMENTAL/DETERRENCE BENEFIT FOR MINIMUM EXPENDITURE OF FEDERAL/STATE RESOURCES <u>MEASURE FOR SUCCESS</u>: ○ DEC/EPA JOINTLY SPONSORED SARATOGA COUNTY LOCAL GOVERNMENT WORKSHOP TO BE HELD IN 5/97. OBJECTIVE: IMPROVE GENERAL LOCAL KNOWLEDGE OF WETLANDS; THEIR LOCATIONS, VALUES, AND AVAILABLE PROTECTION MEASURES.	<u>ENFORCEMENT</u> ○ CONTINUE TO DEFER TO COE AND/OR STATE FOR ENFORCEMENT ACTION AGAINST MINOR VIOLATIONS (EPA) ○ DEFER TO STATE, AS APPROPRIATE, IN TAKING STATE ACTIONS FOR MAJOR AND/OR FLAGRANT VIOLATIONS (EPA) ○ SEEK VOLUNTARY RESTORATION, AS APPROPRIATE	

III.A.6. Dredged Material Management

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
MPRSA\DEPP ○ DEVELOP AND IMPLEMENT MUD DUMP SITE MANAGEMENT PLAN (EPA) ○ DEVELOP SEIS FOR HISTORIC AREA REMEDIATION SITE (HARS) (EPA/COE) ○ PROMULGATE RULEMAKING PACKAGE FOR DESIGNATION OF MDS AND DELEGATION OF HARS (EPA) ○ REACH CONSENSUS WITH EACH COE DISTRICT AND DEC ON SAMPLING AND TESTING REQUIREMENTS FOR DREDGED MATERIALS (DEC) (IN PROCESS) ○ ESTABLISH SAMPLING AND ANALYTICAL PROTOCOLS FOR DREDGE MATERIAL TO BE PLACED UPLAND OR DISPOSED NEARSHORE (DEC/EPA/COE) ○ ESTABLISH APPROPRIATE EVALUATION CRITERIA FOR DREDGED MATERIAL (EPA/COE/DEC) ○ SUPPORT DEVELOPMENT OF COE COMPREHENSIVE LONG-TERM DREDGED MATERIAL MANAGEMENT PLAN (EPA/DEC) ○ REVIEW PUBLIC NOTICES FOR ALL PROJECTS INVOLVING THE OCEAN DISPOSAL OF DREDGED MATERIAL (EPA) ○ IDENTIFY POTENTIAL DREDGED MATERIAL DISPOSAL ALTERNATIVE LOCATIONS WITHIN NYS (EPA/DEC) ○ SUPPORT EFFORTS TO EXPEDITE PERMIT DECISIONS (EPA/COE/DEC) ○ ACTIVELY PARTICIPATE IN PERMIT REVIEW TEAM (EPA/COE/) ○ ESTABLISH AN UP-TO-DATE, EDITED DATABASE TO BE USED IN THE DREDGE MATERIAL DISPOSAL MANAGEMENT PROCESS (DEC/EPA/COE) ○ BEGIN THE PROCESS OF CONTAMINANT IDENTIFICATION AND SOURCE TRACKDOWN FOR CONTAMINANTS CAUSING PROBLEMS IN THE HUDSON RIVER/NY HARBOR ESTUARY PROCESSES (DEC/EPA)	○DEFER TO COE IN MANAGEMENT OF INLET SITES (EPA) ○DEFER TO DEC IN ISSUANCE OF PERMITS FOR ARTIFICIAL REEF CREATION (EPA)	○ IDENTIFY OPPORTUNITIES FOR CREATION OF AQUATIC HABITAT THROUGH BENEFICIAL USE OF DREDGED MATERIAL -HARBOR/BIGHT -LONG ISLAND SOUND -GREAT LAKES ○ PROVIDE APPROPRIATE SUPPORT FOR GREAT LAKES AND THE NEW YORK HARBOR DREDGED MATERIAL MANAGEMENT FORUM AND WORKGROUPS ○ DEVELOP REPORT ON DREDGED MATERIAL MANAGEMENT FOR INCORPORATION IN HEP/BIGHT CCMP (SEE ITEMS IN BASE PROGRAMS FOR PROGRAMMATIC SCOPE)

III.A.6. Dredged Material Management
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
CWA SECT 404/RIVERS & HARBORS ACT SECTION 10 ○ COORDINATE WITH COE ON SELECTION AND MANAGEMENT OF DREDGED MATERIAL DISPOSAL SITES UNDER CWA JURISDICTION (E.G. BORROW PITS CONTAINMENT SITES, OPEN WATER DISPOSAL SITES) (EPA/COE/DEC) ○ TARGETED REVIEW OF PUBLIC NOTICES INVOLVING THE DREDGING OR DISPOSAL OF CONTAMINATED SEDIMENTS (EPA/DEC) -IDENTIFY AREAS OF CONTAMINATED SEDIMENT (EPA/DEC): SEE "SEDIMENT MANAGEMENT PROGRAM" -SCREEN PUBLIC NOTICES TO DETERMINE IF THEY INVOLVE AREAS OF CONTAMINATED SEDIMENT (EPA/DEC)		

III.A.7. Sediment Management Program

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ DEVELOP AND MAINTAIN AN ASSESSMENT OF CONTAMINATED SEDIMENT AREAS BASED ON THE SEDIMENT INVENTORY DATABASE (EPA/DEC) -IDENTIFICATION OF GEOGRAPHIC TARGETS BY FEDERAL AND STATE PROGRAMS ○ CONTINUE TO SUPPORT NATIONAL SEDIMENT INVENTORY (EPA/DEC) ○ EPA WILL PROVIDE FUNDING FOR CORE SEDIMENT COLLECTION AND ASSESSMENT CAPABILITY WITH NEW YORK. ○ EPA & DEC WILL DEVELOP AND MAINTAIN EXPERTISE TO ASSESS SEDIMENT PROBLEMS. ○ EPA DEVELOPS IN-HOUSE EXPERTISE IN SEDIMENT REMEDIATION TECHNOLOGY ○ EPA & DEC WORK THROUGH GEOGRAPHIC INITIATIVES TO DEVELOP COMPREHENSIVE PROGRAMS TO PREVENT AND/OR MANAGE SEDIMENT PROBLEMS (BOTH CONTAMINATED AND "CLEAN" SEDIMENT PROGRAMS)	○ UNDER THE TERMS OF THIS STRATEGY, EPA & DEC WILL MAINTAIN BASE PROGRAMS. ○ THE TRADE-OFFS TO ALLOW THIS PROGRAM TO OPERATE ARE IDENTIFIED UNDER OTHER BASE PROGRAMS.	○ THROUGH PROGRAMS SUCH AS ARCS, SUPERFUND, STATE SUPERFUND, AND SPECIAL LEGISLATION, DEVELOP AND IMPLEMENT PLANS TO ASSESS AND/OR REMEDIATE IN-PLACE SEDIMENT PROBLEMS IN GEOGRAPHICALLY-TARGETED AREAS ○ ONGOING EPA/DEC EFFORTS INCLUDE THE FOLLOWING: - GREAT LAKES (EPA/COE) - BUFFALO RIVER (GLNPO/ARCS, RAP) - LOCKPORT - EIGHTEENMILE CREEK/OLCOTT HARBOR - CUMBERLAND BAY - OSWEGO HARBOR (PROBLEM EXTENT & IMPACT NOT YET FULLY EVALUATED)(RAP) - ST.LAWRENCE RIVER AT MASSENA (3 SITES) (SUPERFUND, RAP) - EASTERN LAKE ONTARIO BASIN SEDIMENT STUDY - DATED SEDIMENT CORES WILL BE COLLECTED IN DEPOSITIONAL AREAS OF LAKE ERIE NEAR THE MOUTH OF THE NIAGARA RIVER, AND IN THE ST.LAWRENCE RIVER - DEC WILL GATHER INFORMATION ON SITES IDENTIFIED BY THE NATIONAL SEDIMENT INVENTORY AS HAVING LIMITED OR CONTRADICTORY DATA - ONONDAGA LAKE (EPA/DEC) - NY/NJ HARBOR/BIGHT - PCBs AND HEAVY METALS IN HUDSON RIVER ○ THE EPA/DEC SEDIMENT MGT. PROGRAM WILL IDENTIFY ADDITIONAL SITES FOR ACTION AS APPROPRIATE ○ PROVIDE APPROPRIATE SUPPORT FOR DREDGED MATERIALS MANAGEMENT FORUM AND WORKGROUPS ○ MERCURY IN LAKE ONTARIO: CONDUCT SAMPLING AND REPORT ON RESULTS/ CONCLUSIONS (USGS).

III.A.8. State Revolving Fund
III.A.8.a. Clean Water State Revolving Fund

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ EFC ESTABLISHMENT OF ELIGIBLE PROJECTS AND ACTIVITIES FOR SRF LOANS (WITH DEC WATER QUALITY INPUT) ○ EFC DEVELOPMENT OF ANNUAL INTENDED USE PLAN, BASED UPON PRIORITY SYSTEM FOR RANKING ○ CONTINUED EPA SUPPORT FOR STATE CLEAN WATER INTEGRATED PROJECT PRIORITY SCORING SYSTEM (PPS) ○ DEC SUBMISSION OF SRF CAPITALIZATION GRANT APPLICATION TO EPA FOR FUNDING, INCLUDING IDENTIFICATION OF SOURCE OF "STATE MATCH" ○ EPA AWARDS CAPITALIZATION GRANT TO DEC ○ EFC ADMINISTERS SRF LOAN PROGRAM, INCLUDING OUTREACH AND MARKETING, EXECUTES LOANS, DEALS WITH "FINANCIAL COMMUNITY", ISSUES EFC/SRF BONDS, MANAGES EACH SPECIFIC LOAN ○ DEC PROVIDES SUPPORT TO EFC IN PROGRAM ADMINISTRATION AND LOANEE OUTREACH ○ EFC DRAWS CASH FROM EPA, CONSISTENT WITH GRANT AGREEMENT AND LOANS ISSUED ○ EPA CONDUCTS ANNUAL PROGRAM REVIEW, ASSESSES EFC/SRF ANNUAL REPORT, ISSUES EPA REVIEW REPORT		<u>PROGRAMMATIC INITIATIVES:</u> <u>TARGETING/MARKETING OF SRF PROGRAM</u> ○ INCREASED EFC AND DEC COLLABORATION TO ENSURE CONSISTENCY BETWEEN SRF AND DOW WATER QUALITY PROGRAM PRIORITIES ○ INCREASED DEC AND EFC COORDINATED OUTREACH TO PROSPECTIVE LOANEES AND REPRESENTATIVE GROUPS ○ CONTINUE EFFORTS TO IDENTIFY OPPORTUNITIES TO CO-FUND PROJECTS AND SUPPORT COMPLEMENTARY GRANTS PROGRAMS (RECD, HUD, ARC, ETC.) WHICH ALLOW SRF PROJECTS TO PROCEED. ○ INCREASED DEC & EFC COORDINATION ON OVERALL INNOVATIVE USE AND EXPANDED ELIGIBILITY OF SRF <u>REGULATORY REFORM/IMPROVEMENTS</u> ○ DEC RECOMMENDS CONGRESSIONAL ADJUSTMENT TO ALLOCATION FORMULA BASED ON NATIONAL NEEDS SURVEY. ○ DEC RECOMMENDS ADJUSTMENT OF NEEDS SURVEY FOR RESPONSIVENESS TO STATE NEEDS IN AREAS SUCH AS NONPOINT SOURCE AND ESTUARY PROJECTS. ○ DEC, WITH EPA GRANT SUPPORT [104(b)(3)], WILL CONTINUE TO IMPROVE STATE PPS TO INSURE BALANCED RELATIONSHIP BETWEEN TRADITIONAL/NON-TRADITIONAL PROJECTS AND TO INSURE PROPER TARGETING OF FUNDS TO PROJECTS.

III.A.8.a. Clean Water State Revolving Fund
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
		SRF USES ○ EFC/EPA CONSULTATION ON FEASIBILITY OF SRF FINANCIAL BENEFITS BY NON PUBLIC ENTITIES; WATER QUALITY PRIORITY IDENTIFIED BY DEC IN CONSULTATION WITH THE NEW YORK NONPOINT SOURCE COORDINATING COMMITTEE (NYNPSCC) ○ EFC, DEC AND EPA WILL PROMOTE THE SRF PROGRAM TO MUNICIPALITIES. EFC WILL FINANCE HIGH PRIORITY PROJECTS FOR WHICH MUNICIPALITIES APPLY FOR FUNDS. DEC/EFC WILL ENSURE THAT THE PROJECT PRIORITY SYSTEM SCORES THESE PROJECTS HIGHLY SO THAT THEY QUALIFY FOR FINANCING IN THE YEAR IN WHICH THEY ARE READY TO GO TO CONSTRUCTION. STRATEGIC ENFORCEMENT BY EPA AND DEC WILL BE USED TO ENCOURAGE MUNICIPALITIES TO MOVE FORWARD WITH THEIR PROJECTS.

III.A.8.a. Clean Water State Revolving Fund
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ EFC TO PROVIDE EPA WITH SRF INFORMATION TO SUPPORT THE EPA ON-LINE SYSTEM AND THE NATIONAL INFORMATION MANAGEMENT SYSTEM (NIMS).		○ EPA HQ WILL PROVIDE TECHNICAL SUPPORT AND TRAINING TO EASE IMPLEMENTATION OF NATIONAL INFORMATION MANAGEMENT SYSTEM. ○ EPA WILL ACT ON STATE'S RECOMMENDATIONS TO IMPROVE THE NIMS. PRIMARY RECOMMENDATION IS THAT NIMS TAKE THE PLACE OF THE CURRENT ANNUAL REPORT DOCUMENT. EPA SHOULD CONSIDER UPDATE OF THE GUIDANCE FOR SRF ANNUAL REPORTS. ○ EPA WILL ENSURE CONSISTENCY ON REPORTING OF PROJECT Y-CATEGORIES BETWEEN CW NEEDS SURVEY AND NIMS.

III.A.8.a. Clean Water State Revolving Fund
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ EFC TO INTEGRATE CWSRF DATABASE WITH CW NEEDS SURVEY DATABASE. ○ EFC & DEC WILL DEVELOP WATERSHED-BASED NEEDS ACCOUNTING LINKS.		○ EPA HQ WILL CONTINUE TECHNICAL AND FINANCIAL SUPPORT FOR THE CWNS, BY: 1. PROMOTING IMPORTANCE OF CWNS TO CONGRESS & STATE EXECUTIVES 2. MAINTAIN CURRENCY OF AND ACCESS TO THE NATIONAL DATABASE 3. IMPLEMENT DATABASE MODERNIZATION PRIOR TO NEXT SURVEY 4. ESTABLISH/EXPAND DOCUMENTATION AND MODELING FOR NPS & ESTUARY NEEDS ○ EPA REGION 2 WILL FURNISH TRAINING AND COORDINATION WITH EPA HQ'S AND NEEDS SURVEY CONTRACTORS

III.A.8.a. Clean Water State Revolving Fund (Hardship Grants Program for Rural Communities)[8]

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ DEC (WITH EFC INPUT) WILL SUBMIT APPLICATION FOR CAPITALIZATION GRANT ○ EFC WILL COORDINATE THE HARDSHIP GRANTS PROGRAM WITH THE CWSRF PROGRAM AND DEC.		○ EPA WILL AWARD GRANT TO STATE AND ASSIST STATE COMPLY WITH FINAL GUIDELINES, SRF REGULATIONS AT 40 CFR PART 35, SUBPART K AND EXISTING AGENCY GRANT REGULATIONS AND PROCEDURE, INCLUDING 40 CFR PART 31

[8] SECTION 102 (d) OF THE CLEAN WATER ACT AMENDMENTS OF 1995 (H.R. 961); OMNIBUS APPROPRIATIONS AND RESCISSION ACT (PUB.L. 104-134)

III.A.8.a. Clean Water State Revolving Fund (Self-Help Program)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ EFC TO OPERATE SELF-HELP PROGRAM TO ASSIST SRF-ELIGIBLE MUNICIPALITIES DEVELOP AFFORDABLE ENVIRONMENTAL INFRASTRUCTURE.		○ EPA WILL PROVIDE APPROPRIATE SUPPORT TO SELF-HELP INITIATIVE.

III.A.8.b. Drinking Water State Revolving Fund

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ DOH ESTABLISHMENT OF ELIGIBLE PROJECTS AND ACTIVITIES FOR SRF LOANS (WITH EFC INPUT) ○ DOH DEVELOPMENT OF ANNUAL INTENDED USE PLAN, BASED UPON PRIORITY SYSTEM FOR RANKING FOR FUNDING. ○ DOH SCORES AND RANKS PROJECTS, SECURES FEDERAL GRANT, REVIEWS PROJECTS, CERTIFIES PROJECTS, PROVIDES TECHNICAL ASSISTANCE. ○ DOH/EFC SUBMISSION OF DWSRF CAPITALIZATION GRANT APPLICATION TO EPA FOR FUNDING, INCLUDING IDENTIFICATION OF SOURCE OF "STATE MATCH." ○ EPA AWARDS CAPITALIZATION GRANT TO DOH. ○ EFC ADMINISTERS SRF LOAN PROGRAM, INCLUDING OUTREACH AND MARKETING, EXECUTES LOANS, DEALS WITH "FINANCIAL COMMUNITY," ISSUES EFC/SRF BONDS, MANAGES EACH SPECIFIC LOAN. ○ EFC REVIEWS BORROWER'S CREDIT, DETERMINES PROJECT AFFORDABILITY, MAKES LOANS TO BORROWERS, PROCESSES DISBURSEMENTS, RECEIVES LOAN PAYMENTS, PROVIDES TECHNICAL ASSISTANCE. ○ DOH DRAWS CASH FROM EPA, CONSISTENT WITH GRANT AGREEMENT AND OPERATING AGREEMENT. ○ EPA CONDUCTS ANNUAL REVIEW, ASSESSES EFC/SRF BIENNIAL REPORT/ANNUAL AUDIT AND EPA ISSUES REVIEW REPORT.		

III.A.9. Nonpoint Source Management

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
NONPOINT SOURCE MANAGEMENT ○ USE AVAILABLE RESOURCES (E.G. CWA SECTION 319 FUNDS, CWA SECTION 604(B) FUNDS, AC&C FUNDS) TO SUPPORT STATE AND LOCAL NONPOINT SOURCE PLANNING AND IMPLEMENTATION ACTIONS. - INITIATE UPDATE NPS MANAGEMENT PROGRAM BASED ON NATIONAL GUIDANCE. - USE PWL, PRIORITY WATERSHEDS, PRIORITY GROUNDWATER RESOURCES AND WICCS STRATEGIES TO DRIVE § 319 PRIORITIES. ○ ENCOURAGE/FACILITATE INVOLVEMENT OF OTHER FEDERAL AGENCIES IN STATE NONPOINT SOURCE MANAGEMENT PROGRAMS (EPA) ○ UTILIZE INDIVIDUAL PROJECT WORKPLANS AND PPA AS A BASIS FOR OBTAINING COMMITMENTS AND TRACKING PERFORMANCE ○ BEGIN ENTERING IMPLEMENTATION PROJECT INFORMATION INTO GRTS FOR NON-POINT SOURCE MANAGEMENT PROJECTS FUNDED WITH FFY'97 PPG FUNDS AND SFY'97/98 ENVIRONMENTAL PROTECTION FUNDS. ○ EPA WAIVED ITS FINAL PROJECT REVIEW PRIOR TO NYSDEC AWARDING COMPETITIVE GRANTS. EPA WOULD ONLY REQUIRE COPIES OF THE FINAL PROJECT WORKPLANS AND BUDGETS APPROVED BY NYSDEC. THIS IS CONSISTENT WITH THE PRINCIPLES OUTLINED IN THE MEMORANDUM OF AGREEMENT ON REVIEWING AND APPROVING COMPETITIVE NPS PROJECTS UPDATE NPS MANAGEMENT PLAN ○ BEGIN PROCESS TO UPDATE NPS MANAGEMENT PLAN TO REFLECT CURRENT WATER QUALITY NEEDS AND CONDITIONAL APPROVAL OF 6217 COASTAL NPS PROGRAM	○ ELIMINATION OF SEPARATE WORKPLAN NEGOTIATIONS FOR 604(b) PASS-THRU GRANTS. ○ DEFERENCE TO INITIATIVES TO FOSTER NONPOINT SOURCE ABATEMENT EFFORTS IN THE FOLLOWING AREAS: -NY CITY WATERSHED, -NY HARBOR/BIGHT, -PECONIC BAY, -LAKE CHAMPLAIN, -ONONDAGA LAKE, -LONG ISLAND SOUND, -THE GREAT LAKES, ○ CLEAR DEFERENCE TO STATE AS LEAD FOR NONPOINT SOURCE MANAGEMENT. ○ ELIMINATION OF REQUIREMENT FOR EPA APPROVAL OF NPS IMPLEMENTATION PROJECTS AND MOUs WITH PARTNER AGENCIES.	GEOGRAPHIC INITIATIVES (SEE SPECIFIC SECTIONS) - NYC WATERSHED - NY HARBOR BIGHT - PECONIC ESTUARY - LAKE CHAMPLAIN - ONONDAGA LAKE - LONG ISLAND SOUND - GREAT LAKES

III.A.9. Nonpoint Source Management
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
NONPOINT SOURCE MANAGEMENT (CONT.) ○ DEVELOP MEMORANDA OF UNDERSTANDING WITH ENVIRONMENTAL AND COASTAL ZONE MANAGEMENT AGENCIES ON HOW TO EFFECTIVELY IMPLEMENT CZMA SECTION 6217 TO CONTROL NONPOINT POLLUTION IN THE COASTAL ZONES IN REGION 2. ○ PARTICIPATE ACTIVELY IN SELECTED NONPOINT SOURCE PLANNING AND IMPLEMENTATION INITIATIVES IN GEOGRAPHICALLY TARGETED AREAS (CONSISTENT WITH WICSS STRATEGIES). ○ ENCOURAGE THE CREATION OF INNOVATIVE APPROACHES TO UTILIZING SRF FUNDS FOR NPS PROJECTS, OTHER THAN MUNICIPAL NPS PROJECTS.		NYC WATERSHED o CONTINUE WHOLE FARM MONITORING PROJECT, SUBJECT TO AVAILABILITY OF FUNDING

III.A.10. Flood Protection

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
STRUCTURAL FLOOD CONTROL PROJECTS ○ MANAGE DEVELOPMENT OF NEW CORP OF ENGINEERS LOCAL FLOOD PROTECTION PROJECTS ○ MANAGE IMPLEMENTATION OF NRCS SMALL WATERSHED PROJECTS ○ PROVIDE OVERSIGHT OF THE OPERATION AND MAINTENANCE OF EXISTING FLOOD CONTROL PROJECTS, INCLUDING THE MAJOR REHABILITATION OF FACILITIES ○ PROVIDE GUIDANCE AND TRAINING FOR THE EMERGENCY OPERATION OF FEDERAL FLOOD CONTROL PROJECTS OPERATED AND MAINTAINED BY LOCAL GOVERNMENT AND FLOOD PREPAREDNESS PLANS FOR REGIONAL STAFF DAM SAFETY PROGRAM ○ MAINTAIN THE STATE'S DAM SAFETY INVENTORY AND PERMIT TRACKING SYSTEM ○ PERFORM DAM SAFETY INSPECTIONS ON EXISTING STRUCTURES ○ MONITOR REMEDIAL WORK ON UNSAFE DAMS ○ PERFORM FIELD VERIFICATION OF DAM SAFETY HAZARD CLASSIFICATION ○ PERFORM TECHNICAL REVIEW OF PROPOSALS TO CONSTRUCT OR REHABILITATE DAMS		SEE GIS COMMENTS IN DATA MANAGEMENT SECTION

III.A.10. Flood Protection
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
FLOOD PLAIN MANAGEMENT PROGRAM ○ COORDINATE THE NATIONAL FLOOD INSURANCE PROGRAM, REACH OUT TO EDUCATE AND ASSIST LOCAL GOVERNMENTS TO ASSIST THEM IN UNDERSTANDING THE REQUIREMENTS AND THEIR RESPONSIBILITIES UNDER THE NATIONAL FLOOD INSURANCE PROGRAM, AND PROVIDE FLOOD HAZARD REGULATIONS ASSISTANCE TO LOCAL OFFICIALS ○ PROVIDE FLOODPLAIN REGULATION ASSISTANCE TO STATE AGENCIES AND ENGINEERING REVIEW AND ANALYSIS COASTAL EROSION PROGRAM ○ OVERSIGHT OF LOCALLY ADMINISTERED COASTAL EROSION HAZARD AREA MANAGEMENT PLANS ○ ADMINISTRATION OF CEHA PROGRAM, INCLUDING MAPPING OF CEHA'S AND ADMINISTRATION OF PART 505 REGULATIONS WITHIN DEC REGULATED COMMUNITIES ○ MANAGE DEVELOPMENT AND IMPLEMENTATION OF SHORE PROTECTION PROJECTS ○ MANAGE IMPLEMENTATION OF HARBOR DRIFT PROJECTS		

III.A.11. Water Permitting, Reservoir Releases and Drought Management

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ TIMELY PROCESSING OF WATER SUPPLY APPLICATIONS AND ISSUANCE OF PERMITS. ○ DETERMINE RESERVOIR RELEASES NEEDED AND REQUEST IMPLEMENTATION BY NYC STAFF. ○ MODIFY DROUGHT MANAGEMENT PLAN.		

III.A.12. Public Water System Supervision Program

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
GOAL 1: TO ASSURE THAT WATER SUPPLIERS ARE IN COMPLIANCE WITH THE STATE SANITARY CODE AND THAT AN ADEQUATE QUANTITY OF POTABLE, AESTHETICALLY PLEASING DRINKING WATER IS DELIVERED BY PUBLIC WATER SUPPLIES. 1. ASSURE COMPLIANCE WITH PART 5 OF THE SSC BY: ★ A. THRU TIMELY AND APPROPRIATE ACTION, BRINGING ALL SIGNIFICANT NON-COMPLIERS (SNCS) INTO COMPLIANCE OR NEGOTIATE A VOLUNTARY SIGNED COMPLIANCE SCHEDULE OR INITIATE FORMAL LEGAL PROCEEDINGS WITHIN SIX MONTHS OF DISCOVERY. REPORT STATUS OF SNC'S QUARTERLY TO EPA. B. EPA WILL PROVIDE UP-TO-DATE AND TIMELY SNC LISTS TO DOH FOR REVIEWS ON A QUARTERLY BASIS, AND ADDRESS UNADDRESSED SNC'S. C. DETERMINE THE NUMBER OF COMMUNITY GROUNDWATER SYSTEMS THAT MAY BE UNDER THE INFLUENCE OF SURFACE WATER AND THOSE THAT ARE NOT AS WELL AS A PRIORITY SCHEME.	- DETERMINE WHICH NONCOMMUNITY GROUNDWATER SYSTEMS ARE UNDER THE INFLUENCE OF SURFACE WATER.	

★=KEY PROGRAMMATIC INDICATOR

III.A.12. Public Water System Supervision Program
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
D. INSTITUTE REGULAR (MONTHLY OR QUARTERLY) COMPLIANCE REPORTS TO LHDS FOR ALL REPETITIVE VIOLATIONS. E. IMPLEMENT A REVISED ADM-2 ENFORCEMENT POLICY/PROCEDURES AND PROVIDE LHD TRAINING. F. IMMEDIATELY RESPOND WITHIN 48 HOURS TO ALL ACUTE VIOLATIONS (NITRATE, E. COLI), INCLUDING APPROPRIATE PUBLIC ADVISORIES AND PROBLEM ALERTS. ★ G. ENSURE FULL IMPLEMENTATION OF ALL PRIORITIES (1,2&3) BY COMPLETING AT LEAST A PARTIAL DATA VERIFICATION AT EACH LHD. ★ H. EPA WILL CONDUCT AT LEAST 2 ON-SITE DATA VERIFICATIONS OF LOCAL HEALTH UNITS PER YEAR. I. ASSESS COMPLIANCE WITH CTS AT ALL FILTERED FACILITIES. 2. COORDINATE WITH WCLR TO ASSURE THAT STATE LABORATORY CAPABILITIES ARE MAINTAINED BY: A. MAINTAINING EPA CERTIFICATION OF THE STATE LABORATORY FOR ALL		

III.A.12. Public Water System Supervision Program
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
ANALYSES REQUIRED UNDER THE SDWA, INCLUDING PARTICIPATION IN EPA'S WATER QUALITY ASSURANCE PROGRAM. B. MAINTAINING AND UPDATING, AS NECESSARY, THE WATER QUALITY ASSURANCE PROGRAM. C. ENSURE TCR SAMPLE SITE PLANS ARE ADEQUATELY DEVELOPED AND FOLLOWED FOR COMMUNITY SYSTEMS WITH POPULATIONS >3,300. D. ENSURE THAT ALL (95%) CERTIFIED LABORATORIES SUBMIT RESULTS ELECTRONICALLY VIA THE ELRP PROGRAM, INCLUDING ELDARS DATA. E. DEVELOP A PROGRAM FOR ROUTINE REGULAR REPORTING OF EXCEEDANCES, THRESHOLDS, TRIGGERS FOR ALL REGULATED ANALYTES FROM THE ELRP PROGRAM. F. CONDUCTING SPECIAL SURVEILLANCE SAMPLING FOR BACTERIOLOGICAL, AND INORGANIC AND ORGANIC CHEMICALS AT PUBLIC WATER SYSTEMS. - BACTERIOLOGICAL - 4000 - INORGANIC CHEMICALS - 400	- ENSURE TCR SAMPLE SITE PLANS ARE ADEQUATELY DEVELOPED AND FOLLOWED FOR COMMUNITY SYSTEMS WITH POPULATIONS <3,300.	

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES

- ORGANIC SAMPLES - 400

3. ACHIEVE COMPLIANCE AT PUBLIC WATER SUPPLIES BY PROVIDING TECHNICAL ASSISTANCE BY:

   A. RESPONDING TO REQUESTS AND INQUIRIES REGARDING TECHNICAL ASSISTANCE OR GUIDANCE, INCLUDING RESPONDING TO CONSUMER COMPLAINTS.

   B. DETERMINE COMPLIANCE WITH EXISTING REGULATIONS AND PROMPTING IMPROVED OPERATION OF PUBLIC WATER SYSTEMS BY CONDUCTING ANNUAL INSPECTIONS;

INSPECTIONS:

MUNICIPAL	1600	81%
PURCHASE	100	45%
SURFACE(W/TREATMENT)	306	36%
AVOIDANCE	21	100%
GROUNDWATER	1173	46%

NONTRANSIENT NONCOMMUNITY:
INSPECTIONS: 400 52%

NONCOMMUNITY:
INSPECTIONS: 3300 49%

   C. PROVIDING DIRECT ASSISTANCE TO 12 COMMUNITIES THROUGH THE STATE'S SELF HELP PROGRAM.

III.A.12. Public Water System Supervision Program
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
4. ASSURE PUBLIC HEALTH PROTECTION AT SURFACE PUBLIC WATER SYSTEMS BY: ★ A. ASSURING UNFILTERED COMMUNITY AND NONCOMMUNITY SURFACE WATER SUPPLIES FOLLOW ESTABLISHED COMPLIANCE SCHEDULES, EXEMPTION APPROVALS, OR STIPULATIONS TO MEET FILTRATION MANDATES. ALSO ASSURE MONITORING REQUIREMENTS ARE ENFORCED. B. CONTINUING TO TRACK COMPLIANCE OF THE 21 COMMUNITY SYSTEMS GRANTED FILTRATION AVOIDANCE, AT LEAST QUARTERLY, INCLUDING RE-ISSUING APPROVALS. C. COMPLETE COMPREHENSIVE PERFORMANCE EVALUATIONS AT 24-30 EXISTING COMMUNITY WATER FILTRATION PLANTS; INCLUDING TRAINING OF 8-10 STAFF PERSONS. D. EPA WILL ASSIST DOH IN PERFORMING CPE'S, AS NECESSARY AND AS RESOURCES ALLOW. 5. ENSURE COMPLIANCE WITH THE LEAD AND COPPER RULE BY: A. SUBMITTING ANNUAL REPORT TO EPA ON THE EFFECTIVENESS OF THE LEAD-BAN.		

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
B. SUBMIT A STATUS REPORT TO EPA CONCERNING OPTIMUM CORROSION CONTROL INSTALLATION FOR ALL LARGE WATER SYSTEMS BY 4/1/97. C. PERFORM VERIFICATION OF 400 "PLASTIC" SYSTEM RECEIVING WAIVERS TO ENSURE SUCH ARE LEAD AND COPPER FREE OR REQUIRE THESE SYSTEMS TO DO AT LEAST ONE ROUND OF MONITORING AS PER THE PROPOSED REGULATION. 6. DEVELOP STRATEGY AND PRIORITIES FOR COMPLETING GUDI EVALUATIONS AT COMMUNITY SYSTEMS. 7. PROMULGATE PHASE V. 8. PROMULGATE REVISIONS TO LEAD AND COPPER REGULATIONS WITHIN SIX MONTHS OF FINAL EPA RULE. GOAL 2: ASSURE THAT LOCAL HEALTH DEPARTMENTS ARE FOLLOWING DEPARTMENT OF HEALTH POLICY FOR REGULATING PUBLIC WATER SUPPLIES. 1. INSURE THAT LOCAL HEALTH DEPARTMENT WATER SUPPLY PROGRAMS PROPERLY IMPLEMENT THE PROGRAM BY:		

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
A. DEVELOPING USABLE MANAGEMENT REPORTS FROM SAFEWATER (IE. COMPLIANCE REPORTS, ETC.) B. CONTINUING TO WORK WITH AND TO IMPROVE FIELD UNIT USE OF SAFEWATER. ISSUE A YEAR END REPORT ON LHD PERFORMANCE USING SAFEWATER. C. PREPARING A YEAR-END REPORT ON LHD PERFORMANCE IN 1995 BY 3/31/97. GOAL 3: ASSURE THAT WATER SUPPLIERS ARE ADEQUATELY PROTECTING THEIR SUPPLIES, ARE PLANNING FOR FUTURE NEEDS AND CONSTRUCTION FACILITIES TO ADEQUATELY COLLECT, STORE, TREAT AND DISTRIBUTE POTABLE AND AESTHETICALLY PLEASING WATER. 1. A. ASSURE THAT WATER SUPPLY FACILITIES ARE BUILT IN ACCORDANCE WITH PROPER DESIGN CRITERIA BY PROVIDING CONCEPTUAL REVIEW AND DESIGN APPROVAL OF NEW CONSTRUCTION AND MAJOR MODIFICATIONS TO WATER SUPPLY SYSTEMS.		

III.A.12. Public Water System Supervision Program
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
B. REVIEWING, APPROVING, ENDORSING PLANS AND SPECIFICATIONS, ENGINEERING REPORTS, NEW PROCESSES, PILOT STUDIES, CROSS CONNECTION PLANS. 2. COMPLETE AND IMPLEMENT THE STATE'S CRYPTO RESPONSE PROTOCOL. 3. EPA WILL KEEP DOH INFORMED OF ICR MONITORING ISSUES. 4. WHERE PROPOSED, PLANNING AND ASSISTING IN THE CONDUCTING OF FULL SCALE PILOT STUDIES OF NEW PROCESSES AT EXISTING PUBLIC WATER SYSTEMS. 5. ASSISTING IN IN-PLANT TROUBLESHOOTING OF WATER FACILITIES AS WELL AS TO OPTIMIZE PERFORMANCE. 6. PERFORMING DETAILED COMPLETED WORKS APPROVAL EVALUATIONS AT NEW TREATMENT FACILITIES AT SMALL PUBLIC WATER SYSTEMS. 7. PERFORMING POST APPROVAL ASSESSMENTS OF NEW PROCESSES INSTALLED AT SMALL WATER SYSTEMS.		

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
GOAL 4: ASSURE THAT POTABLE DRINKING WATER IS PROVIDED DURING EMERGENCIES. 1. ASSURE POTABLE WATER IS PROVIDED DURING WATER SUPPLY EMERGENCIES BY: A. RESPONDING TO REQUESTS FOR TECHNICAL ASSISTANCE IN RESPONDING TO EMERGENCIES, INCLUDING THE RELEASE OF EQUIPMENT WITHIN 24 HOURS (ESTIMATE 50 INCIDENTS). THESE INCLUDE RESPONSE TO ORGANIC CHEMICAL CONTAMINATION. B. PREPARE REPORT SUMMARIZING REPORTED EMERGENCIES DURING 1997 BY 2/15/98, INCLUDING RECOMMENDATIONS FOR AVOIDING REOCCURRENCES AND IMPROVEMENTS IN RESPONSE CAPABILITIES. GOAL 5: ASSURE THAT EMERGING ISSUES IN WATER SUPPLY REGULATIONS ARE EFFECTIVELY REVIEWED AND INNOVATIONS IN WATER SUPPLY DELIVERY ARE PROMOTED, AS WELL AS INCREASING THE TECHNICAL COMPETENCE AMONG REGULATORY AND OPERATIONAL STAFF.		

III.A.12. Public Water System Supervision Program
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
1. ASSURE STAFF ARE PROPERLY TRAINED BY: 2. ASSURING THAT WATER SYSTEMS ARE OPERATED BY COMPETENT OPERATORS BY: A. CERTIFYING NEW OPERATORS (25) B. RENEWING OPERATOR CERTIFICATES (1000) C. REVIEWING AND ENDORSING OPERATOR CERTIFICATION COURSES (20) D. REVIEWING AND APPROVING OPERATOR RENEWAL TRAINING COURSES (100) E. UPDATING THE CURRICULUM FOR EACH OF THE BASIC CERTIFICATION COURSES. GOAL 6: EFFECTIVELY MINISTER THE DELIVERY OF THE PUBLIC WATER SUPPLY SUPERVISION PROGRAM. 1. ENSURE ALL EPA REPORTING REQUIREMENTS UNDER THE GRANT ARE MET AND EPA PROPOSAL FOR REGULATIONS AND POLICIES ARE PROMPTLY COMMENTED UPON AS REQUESTED.		

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR INITIATIVES
★ A. MAINTAIN A STATE DATA MANAGEMENT SYSTEM AND REPORT TIMELY AND COMPLETE TO EPA QUARTERLY; VIOLATIONS, INVENTORY UPDATES, AND ENFORCEMENT ACTIONS (OR APPROPRIATE FOLLOW UP INFO) FOR ALL WATER SYSTEMS CONSISTENT WITH STATE PRIORITY GUIDANCE. ASSURE THAT INFORMATION REQUIRED FOR OECA "CORE" MEASURES APPLICABLE TO THE PWS PROGRAM IS REPORTED TO SDWIS, OR THROUGH OTHER MEANS OF REPORTING COMMITMENTS IN THE PPA. B. BY 4/1/97, DEVELOP A PLAN THAT IDENTIFIES HOW NYSDOH WILL ADDRESS THE NEW STATE REQUIREMENTS SET FORTH IN THE SDWA AMENDMENTS OF 1996. 2. CONTINUE TO PROMOTE NEED FOR ADEQUATE RESOURCES TO IMPLEMENT FULL WATER SUPPLY REGULATORY PROGRAM, INCLUDING APPROPRIATE BUDGET AND FEE LEGISLATIVE PROPOSALS. 3. ENSURE OVERALL PROGRAM COORDINATION WITH FEDERAL AND STATE AGENCIES BY: ADMINISTERING THE EPA PUBLIC WATER SYSTEM SUPERVISION PROGRAM GRANT, INCLUDING THE SUBMITTAL OF A PRELIMINARY GRANT APPLICATION BY 7/1/97 AND A FINAL APPLICATION BY 9/1/97.		

III.A.12. Public Water System Supervision Program
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR INITIATIVES
4. COORDINATE ACTIVITIES WITH OTHER INVOLVED STATE AGENCIES, SUCH AS DEC, DCS, AG&M, DOT, PSC, ETC. 5. SUBMIT TO EPA A STATUS REPORT OR WORKPLAN ACHIEVEMENTS AT MID AND END OF YEAR. 6. DOH WILL PURSUE AN EXPANDED PUBLIC NOTICE PROGRAM (FOR BOIL WATER ORDERS) IN BUFFALO, ROCHESTER, SYRACUSE AND YONKERS-SIMILAR TO THE PROGRAM BEGUN IN NYC. THE PROGRAM INCLUDES POSTING OF BOIL WATER NOTICES IN ALL MULTIPLE DWELLING BUILDINGS; NOTICES TO TENANT ASSOCIATIONS & LOCAL SCHOOL BOARDS. 7. DURING FFY '98, OBTAIN THE LEGAL AUTHORITY TO ENSURE THAT NEW SYSTEMS COMMENCING OPERATION AFTER 10/1/99 DEMONSTRATE THE CAPACITY TO MANAGE THEIR SYSTEM. 8. DURING FFY '98, DEVELOP AND UPDATE THE LIST OF CWS AND NTNCWS WITH A HISTORY OF SIGNIFICANT NONCOMPLIANCE AND THE REASONS FOR NONCOMPLIANCE. 9. DURING FFY '98, ADOPT NEW ADMINISTRATIVE PENALTIES REQUIRED BY THE LAW (SDWA) AS A PRIMACY REQUIREMENT, OR DEMONSTRATE THAT EXISTING STATE AUTHORITY MEETS THE NEW ADMINISTRATIVE PENALTY REQUIREMENTS. 10. DURING FFY '98, SUBMIT THE FIRST ANNUAL COMPLIANCE REPORT TO EPA UNDER SECTION 1414 OF THE SDWA AND DATE/METHOD OF AVAILABILITY TO THE PUBLIC. 11. DEVELOP AND IMPLEMENT THE STATE SRF PROGRAM.		

III.A.13. Source Water Protection

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
DOH ACTIVITIES ○ PREPARE BACKGROUND INFORMATION ON SOURCE WATER ASSESSMENTS PROGRAM (SWAP) GENERAL SCOPE AND BUDGET TO JUSTIFY SET FROM STATE REVOLVING FUND ○ REVIEW EPA DRAFT GUIDANCE AND PARTICIPATE IN REGIONAL STAKEHOLDERS MEETINGS, EPA-STATE WORKGROUPS AND OTHER COLLABORATIONS TO ASSIST EPA WITH DEVELOPING THE FINAL PROGRAM GUIDANCE FOR SWAP ○ BEGIN OUTREACH TO INSURE PUBLIC INVOLVEMENT IN THE DEVELOPMENT OF STATE SWAP ○ REVIEW EPA FINAL GUIDANCE ON SWAP 9/97 ○ DRAFT STATE PLAN FOR SWAP, HOLD PUBLIC HEARINGS AND OTHER INVOLVEMENT OUTREACH, FINALIZE PLAN AND SUBMIT TO EPA 12/97 ○ COOPERATE WITH DEC IN DEVELOPING SOURCE WATER PROTECTION GUIDANCE FOR PUBLIC WATER SYSTEMS AND LOCAL GOVERNMENTS. ○ COORDINATE SOURCE WATER PROTECTION REQUIREMENTS FOR NEW WELLS WITH DEC ○ MAINTAIN COMMUNICATION WITH EPA AND DEC ON UIC ○ COORDINATE W/DEC IN DEVELOPING WHP OUTREACH GUIDANCE ○ PROGRAMMATIC INDICATOR: NUMBER AND PERCENTAGE OF COMMUNITY WATER SYSTEMS (AND POPULATION SERVED) WITH GROUNDWATER OR SURFACE WATER PROTECTION PROGRAMS IN PLACE (DATA OBTAINED FROM SDWIS, STARTING IN FY98)	○ IF SRF SET ASIDE FOR SOURCE WATER ASSESSMENT NOT TAKEN, THE ENTIRE PROGRAM WILL BE DELAYED ONE YEAR TO 18 MONTHS.	

III.A.14. Data Management

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ MAINTAIN PCS DATA BASE AS SOURCE OF NPDES PERMIT PROGRAM COMPLIANCE INFORMATION, INCLUDING DATA Q.A. (DEC) (CROSS REFERENCE WITH NPDES SECTION) - MAINTAIN REQUIRED WATER ENFORCEMENT DATA BASE (WENDB) DATA ELEMENTS - PCS ENHANCEMENT COORDINATION/SUPPORT (DEVELOP, PROPOSE, AND NATIONALLY SUPPORT ENHANCEMENTS) - MAINTAIN QA/QC PROGRAM - CONTINUED PARTICIPATION AT NATIONAL MEETING/CONFERENCE CALLS/WORKGROUPS ○ MAINTAIN FEDERAL REPORTING DATA SYSTEM (FRDS) AND PWSS DATA BASE MANAGEMENT SYSTEMS AS SOURCE OF COMPLIANCE INFORMATION (EPA/DOH). - MAINTAIN DATA BASE MANAGEMENT SYSTEM - IMPLEMENT REMEDIAL ACTION PLAN TO RESOLVE EXISTING PROBLEMS PREVENTING SUCCESSFUL INPUT OF NYS INVENTORY, VIOLATION AND ENFORCEMENT ACTIONS DATA INTO FRDS. ACHIEVE SYSTEMS INTER-FACE OF NYS's SAFEWATER WITH EPA's FRD's. - KEEP ADEQUATE RECORDS OF PERTINENT STATE SURFACE WATER TREATMENT RULE DECISIONS. (EPA/DOH) ○ STORET 604(b): - DEC WILL CONTINUE TO UPDATE ON A REGULAR AND TIMELY BASIS THE NATIONAL STORET DATABASE ON STATE WATER QUALITY INFORMATION. ○ PROVIDE 305(b) ANNUAL ELECTRONIC UPDATE (8/97) (DEC)		<u>PROGRAMMATIC INITIATIVES</u> ○ EDI: COMPLETE EDI PILOT PROJECT. ○ ESTABLISH WENDB SLUDGE ENTRY PROCEDURES IN PCS. ○ PRIORITY WILL BE GIVEN TO COMPLETING VOC DATA BASE IN PROJECT AREAS (i.e., AQUIFER PROJECTION PROJECTS) AND DATA WILL BE PROVIDED TO PROJECT MANAGER (CROSS REFER WITH PWSS SECTION)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
.		
○ SECTION 314 CLEAN LAKES PROGRAM MANAGEMENT SYSTEMS		
- INVESTIGATE THE UTILITY OF THIS SYSTEM FOR ITS GRANT TRACKING CAPABILITIES AND SECTION 305(B) REPORTING CAPABILITIES.		
○ SEDIMENT INVENTORY DATA BASES:		
- CONTINUE TO SUPPORT NATIONAL SEDIMENT INVENTORY (NSI) DATA BASE VIA PROVIDING AMBIENT SEDIMENT DATA TO EPA HQ's (CROSS REFERENCE WITH CONTAMINATED SEDIMENTS)		
- CONTINUED DEVELOPMENT OF REGION 2 SEDIMENT DATA BASE FOR GIS VIA DEC GLCPG (CROSS REFERENCE WITH GIS)		
○ OCEAN DATA EVALUATION SYSTEM (ODES)		
- CONTINUED REGIONAL INPUT OF AMBIENT WATER AND SEDIMENT DATA ATTAINED FROM ESTUARIES PROGRAM, ETC.		
○ GRANTS INFORMATION CONTROL SYSTEM (GICS):		
- ENVIRONMENTAL FACILITIES CORPORATION (EFC) UPDATES AND MAINTAINS GICS OPTIONAL DATA ELEMENTS IN COOPERATION WITH EPA REGION 2.		
- EFC CONTINUES TO REMAIN KNOWLEDGEABLE WITH GICS SYSTEMS (I.E., OPTIONAL DATA ENTRY SYSTEM; OPTIONAL REPORTING SYSTEM, ETC.)		

III.A.14. Data Management
(CONT.)

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ REVIEW UPDATA AND QUERY SYSTEM (RUQuS): - CONTINUED DATA ACQUISITION FOR RUQuS IN SUPPORT OF NEEDS SURVEY (THE PUBLIC WASTEWATER SYSTEM NEEDS INFO. DATA BASE) ○ GEOGRAPHICAL INFORMATION SYSTEM (GIS) (EPA/DEC/DOH) - WORK TOWARD THE ACQUISITION AND DEVELOPMENT OF CRITICAL GEOGRAPHIC DATA TO SUPPORT BASE PROGRAM ACTIVITIES INCLUDING WATERSHED-BASED ECOSYSTEM PROTECTION, POLLUTION PREVENTION, MULTI-MEDIA AQUIFER PROTECTION, WATER QUALITY ASSESSMENT, WATER QUALITY CLASSIFICATION AND ENFORCEMENT. EACH PRIORITY DATA SET SHALL BE DEVELOPED AND ATTRIBUTED INCLUDING HYDROGRAPHY , ELEVATION, LAND COVER, LAND USE, SOILS, AND WETLANDS. CIR DIGITAL ORTHOPHOTO QUADRANGLES AND AERIAL PHOTOGRAPHY SHOULD MEET NATIONAL MAP ACCURACY STANDARDS. - ADDRESS ISSUE OF LONG TERM SUPPORT/FUNDING STRATEGIC PLAN INITIATIVES (I.E., CERCLA AERIAL PHOTOGRAPH) GIS-DEC - DIGITIZE HYDROGRAPHY AND ELEVATION DATA VIA OIL POLLUTION ACT COOPERATIVE AGREEMENT - DEVELOP HIGH RESOLUTION DEMS - DEVELOP DIGITAL ORTHO PHOTO-QUADS AND NATIONAL WETLAND INVENTORY MAPPING - DEVELOP FLOOD PLAIN INFORMATION TO NATIONAL STANDARDS - RELATE REAL PROPERTY DATABASES TO D.O.Q.'S		○ IMPROVE GIS COVERAGES OF SPDES LOCATIONAL, WATER BODY CLASSIFICATION, AND REACH ATTRIBUTES

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ GIS (CONT.) <u>GREAT LAKES:</u> INCLUDE GIS-BASED INFORMATION IN: - ANNUAL DEC/EPA WASTE SITE REPORTS (NIAGARA RIVER AND LAKE ONTARIO) - ANNUAL FOUR-PARTY LAKE ONTARIO LAMP STAGES AND PROGRESS REPORTS - ANNUAL FOUR-PARTY NRTMP PROGRESS REPORTS - ACQUIRE ACCURATE LOCATIONS FOR ALL REGULATED ENTITIES AND MONITORING SITES CONSISTENT WITH EPA'S LOCATIONAL DATA POLICY. - DEVELOP CAPABILITY/INFRASTRUCTURE AND ANALYTICAL TOOLS TO UTILIZE GIS FOR WATERSHED-BASED MANAGEMENT, GROUNDWATER PROTECTION, AND ENFORCEMENT TARGETING. ○ PURSUE ESTABLISHMENT OF WORD PERFECT OFFICE/LAN TYPE INTERFACE BETWEEN EPA AND DEC. ○ NON-PCS REPORTABLE ACTIVITIES: - IDENTIFY REPORTING MECHANISM AND REPORT TO EPA ON ACCOMPLISHMENTS CONCERNING OECA PERFORMANCE MEASURES 4(b) AND 8 (SEE PAGE 97). (DEC) ○ EVALUATE CASE COMPLETION DATA SHEET (CCDS) SOFTWARE FOR DEC USE (CONTINGENT UPON RELEASE OF SOFTWARE TO DEC BY EPA). (DEC)		○ DEVELOP STRATEGY TO ACQUIRE/MANAGE LOCATIONAL DATA VIA GLOBAL POSITIONING SYSTEMS, ETC. (EPA/DEC) AND THROUGH THE USE OF DOQ'S

III.A.15. Public Involvement Outreach Program

BASE PROGRAM	TRADE-OFFS	SUPPORT FOR CBEP INITIATIVES
○ PROVIDE A FORUM FOR PUBLIC REVIEW AND COMMENT ON THE PPA ○ PROVIDE PUBLIC INFORMATION ON THE PPA ○ ENCOURAGE AND SUPPORT COMMUNITY-BASED ENVIRONMENTAL PROTECTION INITIATIVES TO IMPLEMENT THE PPA o THROUGH INFORMATION AND EDUCATION, ENCOURAGE THE FORMATION OF WATERSHED ALLIANCES	○ PROLONG THE TIME NEEDED TO PREPARE THE ANNUAL WORKPLAN BY INCORPORATING MORE PUBLIC CONSULTATION ○ REFOCUS STAFF ASSIGNMENT TO CONDUCT PUBLIC PARTICIPATION FOR THIS PROGRAM	○ COORDINATE WITH THE WATER MANAGEMENT ADVISORY COMMITTEE ○ USE THE ENVIRONMENTAL NOTICE BULLETIN AND OTHER PUBLICATIONS TO INFORM THE PUBLIC AND SOLICIT INPUT ○ USE EXISTING REPORTS AND ADVISORY COMMITTEES TO DEMONSTRATE PROGRESS IN IMPLEMENTING THE PPA

III.B. COMMUNITY BASED ENVIRONMENTAL PROTECTION INITIATIVES

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
CBEP STRATEGY ○ DEVELOP A PLAN TO STRENGTHEN EXISTING CBEP PARTNERSHIPS AND TO IDENTIFY GROUPS THAT CAN IMPLEMENT CBEP PLAN. THE PLAN WILL HIGHLIGHT ACTIVITIES TO ENCOURAGE LOCAL-LEAD INITIATED AND IMPLEMENTED PROJECTS - BY JUNE 30, 1997, ARTICULATE A STRATEGY THAT INTEGRATES EXISTING DEC/DOW EFFORTS TO STRENGTHEN EXISTING CBEP PARTNERSHIPS AND TO IDENTIFY GROUPS THAT CAN IMPLEMENT THE CBEP STRATEGY. - REPORT ON THE DIFFERENT ELEMENTS OF THE STRATEGY BY SEPTEMBER 30, 1997 AND ANNUALLY THEREAFTER. ○ IDENTIFY AND IMPLEMENT WAYS FOR LOCAL ENVIRONMENTAL NEEDS TO BE MET BY LOCAL PARTNERS, WITH TECHNICAL ASSISTANCE FROM DEC AND EPA, AS APPROPRIATE. ○ COORDINATE WITH THE BASIN TEAMS INITIATIVE AND DOCUMENT EVOLVING COLLABORATION, COORDINATION AND LOCAL LEADERSHIP IN SUB-AREAS OF THE LAKE ONTARIO BASIN. ○ COORDINATE WITH OUTREACH EFFORTS TO BUILD WATERSHED ALLIANCES AND SPUR LOCAL STEWARDSHIP, SUCH AS THE DEVELOPING PROGRAM OF THE NEW YORK CITY WATER QUALITY COORDINATING COMMITTEE. TRADE-OFFS ○ SHARE COORDINATION WITH OR DELEGATE IT TO REGIONAL ENTITIES ○ DEFER TO LOCAL OR REGIONAL PRIORITIES	○ USE EXISTING NETWORKS (RAP COMMITTEES, COUNTY WATER QUALITY COORDINATING COMMITTEES, REGIONAL PLANNING AND DEVELOPMENT BOARDS, ADVISORY COMMITTEES, ETC.) ○ SUPPORT THE BASIN TEAMS FOR THE LAKE ONTARIO BASIN, NOW UNDER DEVELOPMENT BY DEC AND REGIONAL PARTNERS ○ BUILD UPON SCHEDULED PARTNERSHIP AND LOCAL ACTION OBJECTIVES OF THE WATERSHED EDUCATION CAMPAIGN (WATER WEEK) AND WATER STEWARDSHIP PROGRAMS.

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
CERCLA (DER) ○ CLEAN UP TARGETED SITES TO REDUCE TOXIC INPUTS TO THE NIAGARA RIVER AND LAKE ONTARIO ○ DEVELOP CLEAN-UP SCHEDULES FOR TARGETED LAKE ONTARIO SITES ID PRIORITY SITES AND THEN REQUEST ACCELERATED CLEAN UP SCHEDULES ○ CLEAN-UP IDENTIFIED SEDIMENT HOT SPOTS - ST. LAWRENCE RIVER	NIAGARA RIVER/LAKE ONTARIO ○ USE OR IMPROVE EXISTING LAKE ONTARIO INFORMATION/ MODELS TO ASSIST IN ANSWERING MANAGEMENT QUESTIONS: - RELATIVE SOURCE CONTRIBUTIONS; - EFFECTS OF LOAD REDUCTION ACTIONS OVERTIME ; - PREDICTIONS OF FUTURE CONDITIONS ○ DEVELOP AND IMPLEMENT LAKE ONTARIO LaMP: - CONTRIBUTE TO ANNUAL FOUR-PARTY PROGRESS REPORTS AND WORK PLANS - CONTRIBUTE TO FOUR-PARTY STAGE 1 & 2 REPORTS - TARGET WASTE SITES; DEVELOP SUMMARY REPORT PRESENTING CLEAN-UP SCHEDULES ANNUALLY - PARTICIPATE IN LAKE ONTARIO LaMP TECHNICAL SUBCOMMITTEES ○ PARTICIPATE IN TRACKDOWN WORK GROUP TO IDENTIFY: IMMEDIATE REMEDIATION OPPORTUNITIES; AND FUTURE ENHANCED MONITORING ACTIVITIES SUPPORTING THE IDENTIFICATION AND REMEDIATION OF SOURCES OF PRIORITY TOXICS IN THE GREAT LAKES BASIN (EPA/DEC). -- THE WORKGROUP RECOMMENDATIONS ARE EXPECTED BY 9/30/97 -- $162,500 IN NON-PERSONAL SERVICES WILL BE RESERVED TO SUPPORT IMPLEMENTATION OF WORKGROUP RECOMMENDATIONS. -- EXISTING PERSONAL SERVICES IN THE GREAT LAKES FY'97 GRANT WILL BE USED TO SUPPORT IMPLEMENTATION OF WORKGROUP RECOMMENDATIONS. ○ IMPLEMENT ALL RAPS, UPDATE EVERY 2 YEARS.

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
	○ DEVELOP/IMPLEMENT RAPS FOR ROCHESTER EMBAYMENT/EIGHTEEN-MILE CREEK - IMPLEMENT STRATEGIES TO ACHIEVE NRMTP GOALS, TARGETING ACTIONS TO REDUCE INPUTS AND MEASURING TRENDS: - CONTRIBUTE TO ANNUAL FOUR-PARTY PROGRESS REPORTS AND WORK PLANS. - ENSURE COMMENSURATE LEVELS OF EFFORT IN LAKE ONTARIO & ERIE. ○ USE P2 TO REDUCE LOADING OF BCCs TO THE NR/LO BASIN. ○ IMPLEMENT A ONE-TIME SAMPLING PROGRAM FOR TARGETED NR WASTE SITES (DER) ○ COMPLETE DATA ASSESSMENT FOR FORT ERIE AMBIENT MONITORING STATION OR TRANSFER PROJECT TO NRTMP RIVER MONITORING COMMITTEE FOR COMPLETION. ○ COMPLETE AN ANNUAL WASTE REPORT FOR THE NIAGARA RIVER BASIN AND THE LAKE ONTARIO BASIN. (DER) ○ DEC TO SEND EPA TALLY OF WET WEATHER OVERFLOWS FROM FALLS STREET TUNNEL FOR FFY'97, AND ANY DATA GATHERED FROM SAMPLING FALLS STREET TUNNEL . EPA TO CONTINUE SUMMARIZING DATA IN ORDER TO DRAW CONCLUSIONS ABOUT FURTHER DATA COLLECTION NEEDS, IF ANY

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
RCRA (DEC) (DER) CLEAN UP TARGETED SITES FOR NIAGARA RIVER AND LAKE ONTARIO. DEVELOP CLEAN-UP SCHEDULES FOR TARGETED LAKE ONTARIO SITES USE P2 TO PREVENT NEW RELEASES DEC DIV. ENVIRONMENTAL REMEDIATION CLEAN UP TARGETED SITES DEVELOP CLEAN-UP SCHEDULES FOR TARGETED LAKE ONTARIO SITES SEDIMENT MANAGEMENT PROGRAM (DEC) DEC TO DEVELOP AND FACILITATE IMPLEMENTATION OF PLANS TO REMEDIATE IN-PLACE SEDIMENT PROBLEMS IN THE GREAT LAKES AND CONNECTING CHANNELS - PRIORITIZED LIST OF HOT SPOTS. - REFERRALS FOR ACTION EPA TO PROVIDE FUNDING FOR CORE SEDIMENT MANAGEMENT CAPABILITY - GREAT LAKES - WITH NYS AIR (DEC) AS PART OF GREAT WATERS PROJECT: ASSIST IN AIR TOXICS COMPONENTS OF NRTMP & LO LAMP USING IADN SYSTEM, ESTIMATE MERCURY LOADINGS TO GL BASIN WORK ON STANDARDIZED AIR TOXICS INVENTORY DATABASE (GLC PROJECT)	○ EXPAND CLEAN SWEEP EFFORTS THROUGHOUT LAKE ONTARIO BASIN. LAKE ERIE ○ CONTINUE DEVELOPMENT OF LAMP IN FFY'97: - DEC & EPA R2 TO REVIEW REPORTS PRODUCED. - MANAGEMENT COMMITTEE MEETINGS: DEC TO ATTEND MEETINGS AND EPA R2 TO PARTICIPATE THROUGH EPA R5 - WORK GROUP MEETINGS: EPA R2 AND DEC TO ALTERNATE ATTENDANCE - EPA R2 TO PARTICIPATE IN SOURCES & LOADINGS SUBCOMMITTEE MEETINGS AND CONFERENCE CALLS.

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
WATER ○ NPDES (DEC) - REDUCE POINT SOURCE LOADINGS TO THE GREAT LAKES (SEE "NPDES" FOR DETAILS) - REDUCE OTHER INPUTS - P2 EVALUATIONS OF SELECTED FACILITIES - P2 INITIATIVES (E.G., CLEAN SWEEP) MONITORING (EPA/DEC) PROVIDE TECHNICAL ASSISTANCE IN DEVELOPING: ○ NIAGARA R. AMBIENT WATER AND BIOTA DATA ○ L. ONTARIO AMBIENT CONC. AND TRENDS ○ NIAGARA RIVER & EIGHTEEN-MILE CREEK SEDIMENT CORES ○ BIOASSESSMENT DATA PUBLIC INVOLVEMENT/EDUCATION (EPA/DEC) ○ CONTINUE PROGRAM FOR LAMP (DEC/EPA) ○ CONTINUE PROGRAM FOR RAPS (DEC) ○ CONTINUE NIAGARA FALLS PUBLIC INFORMATION OFFICE (EPA) ○ CONTINUE PROGRAM FOR NIAGARA RIVER TMP GIS (DEC) ○ SUPPORT NIAGARA RIVER PILOT PROJECT ○ CONTINUE PROGRAM FOR RAPS (DEC)	OTHER ○ SEE "MULTI-MEDIA ACTIVITIES - POLLUTION PREVENTION" ○ CONTINUE IMPLEMENTATION OF FISH CONSUMPTION ADVISORY COMMUNICATIONS OUTREACH PROGRAMS. (DEC) (DIV. OF F&W)

III.B.3. Onondaga Lake Management Conference

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
ERRD ○ OVERSEE PREPARATION OF RI/FS BY ALLIED CHEMICAL (DEC/EPA). DECA/DEPP ○ ENSURE COMPLIANCE EFFORT WITH TERMS OF ONONDAGA COUNTY CONSENT DECREE FOR SYRACUSE METRO (DEC/EPA).	○ IMPLEMENT THE RECOMMENDATIONS IN THE ONONDAGA COUNTY METRO/CSO ABATEMENT PLAN FOR METRO, CSO AND THE PILOT IN-LAKE AERATION PROGRAM. ○ IMPLEMENT PRIORITY ACTIONS AND COMMITMENTS IDENTIFIED IN THE OLPM, IN ORDER TO RESTORE THE WATER USE OF ONONDAGA LAKE. ○ CONTINUE TO WORK THROUGH THE ONONDAGA LAKE MANAGEMENT CONFERENCE TO REVISE AND IMPLEMENT THE PLAN. - PHOSPHORUS - IMPLEMENT THE ONONDAGA COUNTY METRO/CSO ABATEMENT PLAN AND NPS CONTROLS - DEVELOP/IMPLEMENT SPECIFIC NPS CONTROL STRATEGIES FOR THE URBAN AND SUBURBAN AREAS WITHIN THE ONONDAGA LAKE DRAINAGE AS PER THE RECOMMENDATIONS OF THE OLMP

III.B.3. Onondaga Lake Management Conference
(CONT.)

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
	○ <u>TOXICS</u> - THROUGH THE SUPERFUND PROGRAM, EVALUATE THE TRANSPORT OF BIOACCUMULATIVE SUBSTANCES THROUGH THE FOOD CHAIN (INCLUDING REPRESENTATIVES OF PHYTOPLANKTON, ZOOPLANKTON, BENTHIC AND FISH COMMUNITIES). ○ <u>SEDIMENTS</u> - COMPLETE IMPLEMENTATION OF MUDBOIL DEPRESSION AREA REMEDIATION PLAN - IDENTIFY THE ORGANIZATION/LEAD THAT CAN TAKE LONG-TERM OWNERSHIP/OPERATION OF DEPRESSURIZING WELLS, RETENTION DAM AND THE MONITORING ACTIVITIES

III.B.3. Onondaga Lake Management Conference
(CONT.)

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
	○ FISH AND WILDLIFE HABITAT - IMPLEMENT A BIOLOGICAL MONITORING PROGRAM TO ASSESS PHYTOPLANKTON, ZOOPLANKTON AND FISH, BENTHIC AND HERPETOFAUNAL COMMUNITIES. - DEVELOP PROGRAM ON PUBLIC EDUCATION CONCERNING FISH/WILDLIFE RESOURCES. - DEVELOP PLAN FOR ENHANCEMENT OF PUBLIC ACCESS. - DEVELOP ENVIRONMENTAL INDICATOR TO ASSESS LAKE IMPROVEMENT AND SUCCESS OF IMPLEMENTING VARIOUS CORRECTIVE ACTIONS IN PLAN. ○ IN-LAKE REPRODUCTIVE/FORAGING AREA AND WETLANDS REMEDIATION - IMPLEMENT PLAN FOR WETLAND AND IN-LAKE NON-VEGETATIVE COVER RESTORATION AND ENHANCEMENT AND IMPLEMENT PILOT PROJECTS BASED UPON SUCH A PLAN. ○ OTHER - IMPLEMENT A COMPREHENSIVE MONITORING PROGRAM WHICH INCORPORATES AND COORDINATES EXISTING MONITORING EFFORTS

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
NPDES ○ DEVELOP AND IMPLEMENT TMDL\WLA\LA TO ACHIEVE NITROGEN REDUCTION TARGETS (DEC/EPA) - WESTCHESTER - NEW YORK CITY - NASSAU/SUFFOLK ○ DEVELOP FEASIBILITY ANALYSIS FINANCING PLAN FOR ACHIEVING TARGETS UNDER EXISTING FUNDING (DEC) - REFINE COST ESTIMATES ○ DEVELOP MOU WITH NOAA AND STATE ENVIRONMENTAL AND COASTAL ZONE MANAGEMENT AGENCIES ON HOW TO EFFECTIVELY IMPLEMENT CZMA § 6217 IN THE COASTAL ZONE (EPA/DEC) ○ TARGETED DEVELOPMENT AND EXECUTION OF ENFORCEABLE INSTRUMENTS TO REGULATE STORM WATER IN AREAS TRIBUTARY TO THE SOUND (EPA/DEC) - EPA HAS PROVIDED FUNDING TO SUPPORT THIS INITIATIVE.	CONTINUE THE MANAGEMENT CONFERENCE PLANNING PROCESS WHILE SEEKING IMPLEMENTATION OF THE CCMP ○ CONTINUE COORDINATION WITH FEDERAL, STATE, AND LOCAL AGENCIES TO IDENTIFY OPPORTUNITIES FOR IMPLEMENTATION ○ DEVELOP PROGRAM TRACKING SYSTEM FOR ANNUAL ADMINISTRATIVE/ENVIRONMENTAL PROGRESS REPORTS. ○ DEVELOP A LIST OF PRIORITY CCMP ACTIONS FOR FUNDING THROUGH ENFORCEMENT SETTLEMENT. NUTRIENTS ○ FINALIZE A SOUND-WIDE NITROGEN REDUCTION TARGET AND GEOGRAPHIC TARGETS BY DECEMBER 1996 ○ DEVELOP PROPOSAL FOR IMPLEMENTING NUTRIENT TRADING ○ DEMONSTRATE WATERSHED PLANNING IN WESTCHESTER THROUGH INITIATIVE WITH NRCS ○ DEVELOP WATERSHED TRACKING & MONITORING SYSTEM FOR POINT AND NONPOINT SOURCES OF NITROGEN

III.B.4. Long Island Sound
(CONT.)

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
○ IMPLEMENT BEACH CLOSURE/SHELLFISH BED ACTION PLAN (EPA/DEC) ○ IDENTIFY AND DESIGNATE APPROPRIATE BAYS AND HARBORS AS "NO DISCHARGE ZONES" (EPA/DEC) ○ RESOLVE ISSUES RELATING TO ACCEPTANCE OF MARINE PUMPOUT WASTES AT POTWs (EPA/DEC) <u>OTHER</u> ○ RESTORE HABITAT IDENTIFIED IN RESTORATION STRATEGY (EPA/COE/DEC) ○ INITIATE WATERSHED PLANNING ACTIVITIES IN NASSAU AND SUFFOLK AS COMPONENT OF LA, BUT ADDRESS OTHER POLLUTANTS, HABITAT, ACCESS, OPEN SPACE AS WELL (EPA/DEC)	<u>LIVING MARINE RESOURCES/HABITAT</u> ○ DEVELOP SITE SPECIFIC HABITAT MANAGEMENT STRATEGIES - MARSHLANDS AREA IN WESTCHESTER - MT. SINAI ○ FINALIZE CRITICAL COASTAL HABITATS FOR GIS MAPPING, AND FINALIZE BI-STATE COASTAL HABITAT RESTORATION STRATEGY BASED ON PUBLIC INPUT <u>TOXICS</u> ○ UPDATE DREDGED MATERIAL MANAGEMENT PLAN ○ REVIEW NOAA SEDIMENT SURVEY RESULTS FOR HARBORS AND R-EMAP STUDIES OF TOXIC CONTAMINANTS IN WLIS AND RECOMMEND FOLLOW-UP ACTION. <u>DATA MANAGEMENT/MONITORING</u> ○ IMPLEMENT CONSISTENT DATA MANAGEMENT AND STORAGE PROCEDURES - DATA COORDINATOR FOR LISS/HEP ○ IMPLEMENT EXPANDED MONITORING PROGRAM AND SYNTHESIZE RESULTS IN ANNUAL PROGRESS REPORT. <u>PUBLIC OUTREACH</u> ○ CONDUCT BRIEFINGS FOR MUNICIPAL OFFICIALS ON THE CCMP. ○ OUTREACH ON NITROGEN REDUCTION TARGETS: - HOLD PUBLIC MEETINGS - BRIEF ELECTED STATE & CONGRESSIONAL OFFICIALS - BRIEF PERMIT HOLDERS

III.B.5. NYC Watershed (Catskill/Delaware and Croton)

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
	○ ESTIMATE THE WORK FORCE NEEDS TO IMPLEMENT THE WATERSHED AGREEMENT (EPA/DOH/DEC). ○ NYSDOH AND EPA WILL CONTINUE JOINT OVERSIGHT TO ENSURE THAT NYC ACHIEVES FULL COMPLIANCE WITH THE SWTR IN THE CROTON SYSTEM. ○ OVERSEE NYC'S COMPLIANCE WITH THE CONDITIONS OF APPROVAL TO AVOID FILTRATION (DOH/DEC/EPA). ○ ASSIST NYC IN COMPLYING WITH FILTRATION AVOIDANCE CONDITIONS. - CONDUCT MEETINGS AS NECESSARY AT THE DIRECTOR LEVEL TO IDENTIFY AND RESOLVE WATERSHED PROTECTION ISSUES. (EPA/DOH/DEC/NYCDEP) - NYSDEC ASSISTANCE WILL BE PROVIDED CONSISTENT WITH NPDES DELEGATION, AND WATERSHED MOA.

III.B.5. NYC Watershed (Catskill/Delaware and Croton)
(CONT.)

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
○ REVIEW SPDES PERMITS; MODIFY AS NECESSARY TO MEET WATER QUALITY STANDARDS. (EPA/DEC) ○ REVIEW QNCRs, PERFORM INSPECTIONS, COLLECT/ANALYZE COMPLIANCE SAMPLING, TAKE ENFORCEMENT ACTIONS AS NECESSARY; ENSURE 100% COVERAGE OF ALL RELEVANT MAJOR AND MINOR FACILITIES. (EPA/ DEC/ DOH/ NYCDEP/ OTHER LOCAL GOVERNMENTS). - DEVELOP STRATEGIES FOR WORKLOAD SHARING AMONG EPA, NYSDEC, NYSDOH, NYSDEC, AND OTHER LOCAL GOVERNMENTS (SUCH AS DEC/DEP MOU) . - EPA/NYSDEC FOCUS IS EXPANDED TO INCLUDE: MAJORS, SIGNIFICANT MINORS, AND NON-SIGNIFICANT MINORS. - REVIEW AND APPROVE WATERSHED TMDLs/WLAs/LAs AS NECESSARY (EPA/DEC). ○ INSPECT CLASS V WELLS IN NYC WATERSHED ASSIGN PRIORITY TO WELLS POTENTIALLY IMPACTING KENSICO RESERVOIR (EPA). ○ COORDINATE WITH NYCDEP IN DEVELOPMENT OF NONPOINT SOURCE COMPONENTs OF NYC WATERSHED PROTECTION PROGRAM (EPA/DEC). - ASSIST NYSDOH/NYCDEP TO RESOLVE THE LEGAL, TECHNICAL AND PROCEDURAL ISSUES ASSOCIATED WITH THE CITY'S WATERSHED RULES AND REGULATIONS AND THE WATERSHED PROTECTION PROGRAM. PROGRAM REVIEW OF WATERSHED RULES AND REGULATIONS. (EPA)	○ EPA ACTIONS - PARTICIPATE IN NYSDOH WATERSHED INSPECTIONS AND REVIEW OF NYCDEP ANNUAL WATERSHED REPORT. - REVIEW NYCDEP GIARDIA, CRYTOSPORIDIUM AND VIRUS DATA. - REVIEW KENSICO RESERVOIR REPORTS AND SAMPLING DATA. - PARTICIPATE IN REVIEW OF FILTRATION PLANT DESIGN STUDIES. - PARTICIPATE IN SNAP (EPA/DEC) AND WEEC (DEC/DEP) CONFERENCES CONCERNING WASTEWATER TREATMENT PLANT ENFORCEMENT AND COORDINATE ALL N/SPDES COMPLIANCE/ENFORCEMENT CONCERNS THROUGH THESE PROCESSES. - PARTICIPATE IN NONPOINT SOURCE COORDINATING COMMITTEE (EPA/DEC/DEP/SCS/DEPT. OF AGRICULTURE). ○ EPA WILL COORDINATE ALL FAD CONDITIONS WHICH IMPACT DEC AND/OR DOH WITH THE RESPECTIVE OR BOTH AGENCIES.

III.B.5. NYC Watershed (Catskill/Delaware and Croton)
(CONT.)

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
○ ASSIST NYSDOH/NYCDEP/SOUTHERN NEW YORK INTERGOVERNMENTAL WATER SUPPLY ADVISORY COUNCIL (SENYIGWAC) IN THE FINALIZATION AND IMPLEMENTATION OF THE CITY'S INTERGOVERNMENTAL TASK FORCE REPORT RELATIVE TO SECURING ADDITIONAL SOURCE CAPACITY FOR THE CITY (EPA) .	○ <u>DEC ACTIONS</u> - SUPPORT ALL FAD CONDITIONS CONSISTENT WITH ITS NPDES AUTHORIZATION, AND ITS RESPONSIBILITIES UNDER ECL AND UNDER THE MOA WITHIN ITS RESOURCE CAPABILITIES. - PROVIDE INPUT ON RELEVANT CONDITIONS OF ANY MODIFICATION/AMENDMENT OF FAD. - OVERSEE COMPLIANCE WITH THE 10-YEAR WATER SUPPLY PERMIT (LAND ACQUISITION PROGRAM). - DEVELOP PHASED TMDL OUTPUTS CONSISTENT WITH FAD AND MOA AND PROPOSE APPROPRIATE SPDES PERMIT MODIFICATIONS CONSISTENT WITH WLA'S AND NONPOINT SOURCE CONTROLS CONSISTENT WITH THE LAs FROM THE JOINT NYCDEP/DEC/EPA TMDL DEVELOPMENT/APPROVAL PROCESS.

III.B.5. NYC Watershed (Catskill/Delaware and Croton)
(CONT.)

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
	DEC ACTIONS (CONT.) - PROPOSE MODIFICATIONS, AS APPROPRIATE, FOR ALL EXISTING SURFACE WATER SPDES PERMITS IN THE WATERSHED TO INCLUDE NEW EFFLUENT STANDARDS AND UPGRADE SCHEDULES REQUIRED BY THE NYC WATERSHED RULES AND REGULATIONS CONSISTENT WITH SAPA AND SCHEDULES CONTAINED IN THE FAD AND MOA. - PARTICIPATE IN APPROPRIATE TECHNICAL GROUPS UNDER THE MOA TO DEVELOP PROCEDURES FOR IMPLEMENTATION OF THE PHOSPHORUS OFFSET PROGRAM, AND OTHER APPROPRIATE TECHNICAL GROUPS SUCH AS THE ENHANCED MONITORING (ISLI) WORKGROUP. - PROVIDE OVERSIGHT OF CONSENT ORDERS AND PERMIT SCHEDULES FOR NYC OWNED WASTEWATER TREATMENT PLANT UPGRADES. - REVIEW AND REFINE, AS APPROPRIATE, APPENDICES OF DEC/DEP MOU TO INSURE CONSISTENCY WITH WATERSHED MOA . - DEC WILL CONTINUE TO IMPLEMENT PROVISION OF DEC/DEP MOU SUCH AS WECC, CONSISTENT WITH ITS NPDES RESPONSIBILITIES AND EPA WILL RECOGNIZE WECC AS THE PRIMARY FORUM FOR ADDRESSING WATERSHED N/SPDES COMPLIANCE ISSUES WITH NYCDEP .

III.B.5. NYC Watershed (Catskill/Delaware and Croton)
(CONT.)

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
DOH ACTIVITIES: CONTINUE TO TRACK NYC AVOIDANCE COMPLIANCE AS WELL AS ALL OTHER AVOIDANCE APPROVALS. 1. PROVIDING DAILY OVERSIGHT OF THE CITY'S COMPLIANCE WITH ALL AVOIDANCE DELIVERABLES; 2. INSPECTING THE CITY'S WATERSHED, IN LIGHT OF ITS WATERSHED PROTECTION PROGRAM, INCLUDING A REVIEW OF THE CITY'S ANNUAL WATERSHED REPORT; 3. PARTICIPATING IN THE CITY'S AGRICULTURAL PROGRAM BY PARTICIPATING ON THE WATERSHED AGRICULTURAL COUNCIL; 4. RESPONDING TO CASES OF BACTERIAL CONTAMINATION IN THE CITY'S DISTRIBUTION SYSTEM; 5. PARTICIPATING IN A RESEARCH PROJECT ON THE CAUSE AND EFFECT OF COLIFORM IN THE CITY'S DISTRIBUTION SYSTEM; AND 6. ASSURING COMPLIANCE WITH HILLVIEW CLEANING AND COVERING PROJECTS IN ACCORDANCE WITH STIPULATION.	

III.B.6. Peconic Estuary

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
DESA ○ ASSISTANCE IN REVIEWING QA/QC PLANS NPDES ○ ENSURE RIVERHEAD AQUARIUM PERMIT INCLUDES NO NET INCREASE REQUIREMENTS; DRAFT 9/1/96 (DEC) ○ DESIGNATION OF VESSEL WASTE "NO DISCHARGE ZONE" AS APPROPRIATE NPS MANAGEMENT ○ CONTINUE TO PROVIDE FUNDS IN SUPPORT OF NPS EFFORTS CERCLA (EPA) ○ ENSURE REMEDIAL INVESTIGATION OF OPERABLE UNIT V AT BROOKHAVEN NATIONAL LABORATORY ADEQUATELY ADDRESSES OFFSITE AND DOWNSTREAM IMPACTS	○ PREPARATION AND IMPLEMENTATION OF COMPREHENSIVE BROWN TIDE RESEARCH AND MANAGEMENT STRATEGY 96 (EPA/DEC) ○ COMPLETION OF CHARACTERIZATION REPORTS (7/97) (EPA/DEC). ○ COMPLETION OF INTERIM CCMP (7/97) (EPA/DEC). ○ APPROVAL OF FINAL CCMP (7/98) WATER QUALITY STANDARDS ○ DEVELOP WATER QUALITY PRESERVATION POLICY FOR THE EASTERN PECONIC SYSTEM IN A TIME FRAME CONSISTENT WITH PECONIC INTERIM CCMP (DEC/EPA) (3/98) TMDL ○ DEVELOP TMDL/WLA/LA BASED ON 0.5 mg/L NITROGEN GUIDELINE FOR THE TIDAL PORTION OF THE PECONIC RIVER AND FLANDERS BAY AS APPROPRIATE BASED ON ENHANCED MODELING.

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
EPA ○ ENFORCEMENT (EPA/DEC) - SEEK OPPORTUNITIES TO DIRECT ENFORCEMENT SETTLEMENT MITIGATIVE ACTIONS TO IMPLEMENT PRIORITY ACTIONS IN HEP CCMP (1996) ○ WATER QUALITY (EPA/DEC) - ADOPT SITE-SPECIFIC WQS FOR COPPER (12/97) - DEVELOP PHASE II WLAs/TMDLs FOR TOXIC METALS, AS APPROPRIATE (3/97) ○ NPDES (EPA/DEC) - IMPLEMENT FLOATABLES CONTROL PROGRAM FOR PORTION OF NYC AREA NOT COVERED BY CONSENT ORDER INTERIM REQUIREMENTS.(EPA/DEC) - INCLUDE REQUIREMENTS TO REVIEW AND MODIFY PRETREATMENT PROGRAMS TO MINIMIZE CSO IMPACTS	PREPARE ANNUAL REPORT ON HEP CCMP IMPLEMENTATION, INCLUDING CCMP UPDATE(12/97) SEEK AGREEMENTS FOR IMPLEMENTATION OF THE HEP PLAN IMPLEMENTING THE CCMP ○ IDENTIFY WORK WITH NON-PROFIT ORGANIZATIONS TO FUND CCMP ACTIONS. ○ REVIEW ISC WORK PLAN TO DIRECT USE OF SECTION 106 FUNDS FOR CCMP ACTIVITIES. NUTRIENTS ○ COORDINATE WITH THE NYCDEP IN THEIR DEVELOPMENT OF SWEM ○ WORK WITH NYCDEP AND NJDEP TO APPLY SYSTEM-WIDE EUTROPHICATION MODEL (SWEM) TO ASSESS NITROGEN REDUCTIONS NECESSARY TO MEET HEP GOALS (1998) - REVIEW ITEM RESULTS AND DEVELOP PLAN TO IMPLEMENT ADDITIONAL LOW-COST NITROGEN REDUCTIONS AS APPROPRIATE (1997) ○ DEVELOP ECOSYSTEM OBJECTIVES FOR EUTROPHICATION. (12/97)

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
- IMPLEMENT FLOATABLES CONTROL PROGRAM FOR PORTION OF NYC AREA NOT COVERED BY CONSENT ORDER INTERIM REQUIREMENTS, (EPA/DEC) - INCLUDE REQUIREMENTS TO REVIEW AND MODIFY PRETREATMENT PROGRAMS TO MINIMIZE CSO IMPACTS (EPA/DEC) - REQUIRE DISCHARGERS, AS APPROPRIATE BASED UPON ENVIRONMENTAL IMPACT, TO TRACK-DOWN AND CLEAN-UP SIGNIFICANT SOURCES OF PCBs AND OTHER ORGANIC CHEMICALS OF CONCERN TO THEIR SEWAGE SYSTEMS (BEGAN JULY 1995) - IMPLEMENT BEACH CLOSURE/SHELLFISH BED ACTION PLAN	<u>HABITAT</u> ○ IDENTIFY COASTAL HABITATS THAT WARRANT SPECIAL PROTECTION(APRIL 1996) ○ COORDINATE WITH STAKEHOLDERS TO DEVELOP PLAN TO SUPPORT SPECIAL EFFORTS TO RESTORE HABITAT IN JAMAICA BAY (DEC.1996) ○ DEVELOP RECOMMENDATIONS TO APPLY THE RESULTS OF STUDIES ON THE EFFECTS OF PLATFORM DEVELOPMENT ON NEAR SHORE HABITAT.(DEC. 1996)

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
○ DREDGED MATERIAL MANAGEMENT (EPA/COE) (SEE SECTION: DREDGED MATERIAL MANAGEMENT) - IMPLEMENT APPROPRIATE COMMITMENTS CONTAINED DREDGED MATERIAL MANAGEMENT PLAN. ○ OTHER - IMPLEMENT SHORT TERM FLOATABLES ACTION PLAN - USE CLEAN VESSEL ACT FUNDS TO ISSUE GRANTS FOR MARINE PUMPOUT STATIONS - SELECT AND DEVELOP PILOT PROJECT TO MINIMIZE EXPORT OF SEDIMENT FROM HUDSON RIVER SUB-WATERSHED - CONTINUE HARBOR DRIFT REMOVAL PROJECT, TARGETING PRIORITY SHORELINE AREA FOR CLEAN-UP - ISSUE ROD FOR HUDSON RIVER PCB SITE (ERRD) (SEPT. 1997) - USE NEW DATA ON CHEMICALS IN FISH, SHELLFISH AND CRUSTACEA TO MODIFY FISHING ADVISORIES AND RESTRICTIONS, AS APPROPRIATE (MARCH 1998) - PROTECT COASTAL HABITATS THROUGH CZM CONSISTENCY REVIEW PROCESS <u>EPA ACTIVITY:</u> ○ IMPLEMENT "CLEAN STREETS/CLEAN BEACHES" (WITH DEC) ○ PROVIDE LEGAL INTERPRETATION OF LAWS, REGULATIONS AND POLICIES GOVERNING OCEAN DISPOSAL OF DREDGED MATERIAL. (EPA)	<u>FLOATABLES</u> ○ OBTAIN COMMITMENTS FROM REGULATORY AGENCIES TO IMPLEMENT THE LONG TERM FLOATABLES PLAN <u>TOXICS</u> ○ IMPLEMENT ADDITIONAL R-EMAP PROJECTS IN HARBOR, PENDING FUNDING. ○ UPDATE LIST OF CHEMICALS OF CONCERN, IDENTIFYING TOXIC CHEMICALS WHICH PREVENT UNRESTRICTED DISPOSAL OF DREDGED MATERIALS (SEPT 1997) ○ IDENTIFY ADDITIONAL AREAS/PROJECTS TO TRACK-DOWN AND CLEAN-UP SOURCES OF CHEMICALS OF CONCERN (JUNE 1997) (<u>NOTE:</u> NYSDEC MUST SUBMIT AN APPROPRIATE BI-STATE WORKPLAN WITH NJDEP FOR THE HARBOR-WIDE AND ARTHUR KILL TRACKDOWN EFFORTS) ○ DEVELOP/CONDUCT SEDIMENT TIE STUDIES (JUNE 1997) ○ COMPLETE ASSESSMENT OF CHEMICALS IN FISH, SHELLFISH AND CRUSTACEA (DEC LEAD, 7/97) ○ COOPERATE WITH USACE/OTHER SPONSORS TO DEVELOP WORKPLAN, CONDUCT MONITORING, AND DEVELOP IMPROVED MASS BALANCES FOR CHEMICALS OF CONCERN, USING SIMPLE MODELING TOOLS (EPA 1997) ○ COOPERATE WITH NJDEP IN DEVELOPMENT AND IMPLEMENTATION OF TOXICS TRACKDOWN PROGRAM FOR HARBOR AND ARTHUR KILL (BI-STATE WORKPLAN; 4/97, BEGIN PROGRAM 6/97) <u>PATHOGENS</u> ○ USE NYC WQ MODEL TO PRIORITIZE CSO ABATEMENT IN HARBOR/BIGHT (1997) <u>MONITORING</u> ○ REFINE AND IMPLEMENT ENVIRONMENTAL MONITORING PLAN (1996)(EPA/DEC/OTHERS)

III.B.10. Citizens Statewide Lake Assessment Program

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
	CITIZENS' STATEWIDE LAKE ASSESSMENT PROGRAM (CSLAP) ○ EXPAND THE PROGRAM TO 110 TO 120 LAKES, CONTINGENT ON AVAILABLE FUNDING. ○ PREPARE AN ANNUAL REPORT DESCRIBING THE RESULTS FROM THE PREVIOUS FIELD SEASON. ○ PREPARE TWO TO FIVE "MINI MANAGEMENT PLANS" ON SPECIFIC LAKES AS NEEDED. ○ CONDUCT ENVIRONMENTAL EDUCATION GRANT COMPONENT WITH SELECTED SCHOOL DISTRICTS, IF FUNDED BY EPA ENVIRONMENTAL EDUCATION PROGRAM. ○ WORK WITH THE NEW YORK FEDERATION OF LAKE ASSOCIATIONS (FOLA) ON RELATED ACTIVITIES, SUCH AS THE FOLA WORLD WIDE WEB SITE, THE NYS LAKE MANAGEMENT FORUM, THE FOLA ANNUAL MEETING OF LAKE ASSOCIATIONS AND THE FOLA NEWSLETTER, *WATERWORKS*. ○ INCLUDE CSLAP IN LAKE WATER QUALITY ASSESSMENT PORTION OF SECTION 305(B) REPORT.

III.B.11. Finger Lakes

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
	○ CONTINUE THE FINGER LAKES AQUATIC VEGETATION CONTROL PROGRAM (FLAVCP) IN COOPERATION WITH THE FINGER LAKES ASSOCIATION WATER RESOURCES BOARD. THE FLAVCP INCLUDES ACTIVITIES RANGING FROM BIOLOGICAL AND CHEMICAL MONITORING OF THE LAKES TO DESIGN OF NONPOINT CONTROL PROJECTS AND MANAGEMENT OF NUISANCE PLANTS, SUCH AS *EURASIAN WATERMILFOIL*. ○ CONDUCT A SYNOPTIC LIMNOLOGICAL SURVEY OF THE ELEVEN FINGER LAKES, DURING THE SUMMER OF 1997. ○ CONDUCT A SURVEY OF PUBLIC PERCEPTION OF WATER QUALITY OF THE FINGER LAKES. ○ CONTINUE WORK TO DEVELOP A "STATE OF THE LAKE" REPORT ON THE FINGER LAKES SYSTEM. ○ WORK WITH LOCAL GOVERNMENTS AND THE FINGER LAKES ASSOCIATION WATER RESOURCES BOARD TO DEVELOP COMPREHENSIVE MANAGEMENT PLANS FOR SPECIFIC LAKES. ○ PROVIDE TECHNICAL ASSISTANCE TO LOCAL GOVERNMENTS AND PROPERTY OWNERS ORGANIZATIONS ON LAKE MANAGEMENT ISSUES.

BASE PROGRAM SUPPORT	SUPPORT FOR CBEP INITIATIVES
○ IMPLEMENT PRIORITY ACTIONS AND COMMITMENTS IDENTIFIED IN THE MANAGEMENT PLAN, IN ORDER TO RESTORE AND PROTECT THE WATER QUALITY OF LAKE CHAMPLAIN. ○ DEC TO SUBMIT SEPARATE LAKE CHAMPLAIN WORKPLAN TO SATISFY STEERING COMMITTEE REQUIREMENT. <u>PHOSPHORUS</u> ○ DEVELOP SPECIFIC PHOSPHORUS CONTROL STRATEGIES FOR EACH FACILITY WITHIN THE LAKE CHAMPLAIN DRAINAGE BASIN, AS PER THE RECOMMENDATIONS IN AN AGREED UPON PLAN AND AVAILABLE FUNDING. ○ COORDINATE ALL FEDERAL AND STATE PROGRAMS WHICH CAN PROVIDE FUNDING FOR URBAN AND AGRICULTURAL NPS MANAGEMENT ACTIONS. ○ CONTINUE THE LONG-TERM MONITORING PROGRAM FOR THE LAKE AND ITS TRIBUTARIES, UTILIZING USGS GAGING NETWORK, IN ORDER TO REFINE THE LAKEWIDE PHOSPHORUS MODEL. <u>TOXICS</u> ○ IMPLEMENT THE RECOMMENDED PROGRAM TO REDUCE TOXIC LOADINGS TO ACCEPTABLE LEVEL ○ MAINTAIN AMBIENT MONITORING PROGRAMS FOR TOXICS IN FISH FLESH ○ COORDINATE REMEDIAL ACTIVITIES AT SUCH LOCATIONS AS CUMBERLAND BAY ○ CONDUCT ANY ADDITIONAL INVESTIGATIONS, AS NEEDED TO DETERMINE THE SOURCES OF TOXIC MATERIALS TO LAKE CHAMPLAIN <u>PATHOGENS</u> ○ INVENTORY PRESENCE OF PATHOGENS IN SURFACE AND DRINKING WATERS. ○ ASSESS SOURCES OF PATHOGENS ○ IMPLEMENT PROGRAM TO REDUCE PATHOGENS TO ACCEPTABLE LEVELS <u>WETLANDS</u> ○ IMPLEMENT PLAN RECOMMENDATIONS FOR WETLANDS PROTECTION AND ENHANCEMENT. <u>NUISANCE AQUATICS</u> ○ IMPLEMENT PREVENTION AND CONTROL PLAN FOR NUISANCE AQUATICS	○ USING STATE AND FEDERAL RESOURCES, BEGIN IMPLEMENTATION OF PRIORITY ACTIONS OF THE MANAGEMENT PLAN ○ FOR PHOSPHORUS CONTROL STRATEGIES, EPA TO ASSIST NYSDEC IN THE COLLECTION OF SURFACE WATER SAMPLES AT 51 STATIONS AND PROVIDE SIGNIFICANT ANALYTICAL SERVICES

Section IV - Environmental and Programmatic Indicators

The National Environmental Performance Partnership System (NEPPS) anticipates that the State and the EPA will re-think how they are measuring program success. Previously, success was measured by how many inspections were performed or how many compliance actions were taken. At best, these were only surrogates for the water quality improvement that these program actions were meant to foster. The NEPPS process encourages both State and Federal program managers to direct management towards achieving environmental results. As such, the process requires determination of priority environmental goals and the subsequent development and use of environmental indicators and performance measures to measure the success in reaching these goals. This shift in emphasis from program activity measures to environmental quality measures is a key element of many current national and state initiatives to reinvent environmental protection.

NYSDEC, NYSDOH, and EPA Region 2 agree to measure the success of the water program in New York State using both environmental and programmatic indicators listed below. Both agencies have worked cooperatively to develop a specific list of performance measures and environmental indicators that will more accurately represent the impact our programs are having on the water resources of New York. The measures take into account the Government Performance and Results Act, which specifically requires quantifiable goals, and performance indicators to be reported by EPA to Congress in annual performance plans. In some cases these measures are activity based, while in others they are results based. For both the environmental and programmatic indicators, there are indicators at the national, state and regional/local levels.

IV.A. National Indicators

IV.A.1. Office of Water

NYSDEC Measures:

NYSDEC has reviewed USEPA Office of Water environmental indicators internally. In the first PPA (FY96/97) NYSDEC reported on ten national programmatic and environmental indicators primarily through existing reporting mechanisms like the 305b report and PCS. There were three indicators that used NYSDOH data, and one which used NYSEFC data. For this SFY 97/98 PPA, NYSDEC has agreed to provide information on the 9 of the 10 indicators shown in the table on the following pages. The first nine indicators in the table are national ones proposed by the EPA Office of Water. The tenth is a state indicator for non EPA funded flood work. The feasibility, means and schedule for reporting on indicator 3 (groundwater indicators) will be determined by the joint NYSDEC, NYSDOH and EPA environmental indicator workgroup.

ENVIRONMENTAL INDICATORS - NYSDEC DIVISION OF WATER

INDICATOR	INDICATES	DATA AVAILABILITY
1. Fish Consumption Advisories	Percent (%) of rivers, lakes, etc. that NYS has determined have fish that should not be eaten, or eaten only in limited quantities.	Fish flesh data is available from the DFW &DMR. In conjunction with NYSDOH, advisories are prepared every year and published in the NYS fish regulations. (Included in 305b)
2. Point Source Loadings to Surface & Groundwater	Selected Point Source Loadings - trends for selected pollutants discharged into surface waters; and underground injection control wells that are sources of loadings into groundwater.	Pollutant discharge loading information is available for significant permits in the PCS system. A decision and commitment will be made to identify the pollutant/ water body for which loading information would be summarized.
3. Selected groundwater quality parameters.	Report the presence of chemical pollutants in groundwater; i.e., nitrate in groundwater drinking supplies.	NYSDOH presently requires groundwater water suppliers to generate quality data for selected pollutants. DOH will coordinate with DEC on preparation of the Wellhead Protection Biennial Report (due 10/98), which will serve as report on indicators for the groundwater component of Source Water Protection.
4. Nonpoint source loadings to surface waters.	Reports the presence of nonpoint source pollutants in surface waters, particularly for nutrients.	Data is available for specific geographical areas such as Lake Champlain, NYC Watershed & Long Island Sound.
5. Shellfish bed condition (closure).	Percent of assessed coastal/estuarine shellfish growing waters approved for harvest and human consumption.	Available from DFW & DMR. The DFW & DMR monitors the quality of shellfish growing areas. This data is used to determine the suitability and/or closure of shellfish waters for harvesting. (Included in 305b)
6. Selected surface water quality parameters.	Trends of selected pollutants in surface water.	Data is available from public and DEC monitoring programs.

INDICATOR	INDICATES	DATA AVAILABILITY
7. Biological health of aquatic communities.	Percent of assessed rivers, lakes and estuaries showing improved and healthy aquatic communities, which are an indicator of improved water quality.	Data is available from public and DEC monitoring programs.
8. Contaminated Sediments	Number of waterbodies with sediment deposits containing chemical contaminants at concentrations exceeding no effects levels. Contaminant trends are identified using sediment core data.	There is an extensive sediment chemistry database available for the Great Lakes Drainage Basins and one in progress for the Hudson and Mohawk River Drainage Basins and NY Harbor area. These databases are/will be updated annually. Benthic structure, toxicity and fish tissue databases are being synthesized.
9. Waters meeting designated uses: a) drinking water b) fish/shellfish consumption c) aquatic life propagation d) recreation	Percent of assessed waterbodies that support designated use. Statistics for this indicator are routinely reported in the State Water Quality Assessment under Section 305(b).	Data from DEC monitoring programs and various other sources (local/federal government, public groups) is compiled in DEC PWL database. (Included in 305b)
10. Dam & Flood Safety	Dollar value of damages prevented within areas protected by State or locally maintained flood control projects and in areas controlled by flood plain management, shore protection projects and dam permitting.	Biennial data available.

NYSDOH Measures:

In addition, NYSDOH will solely be reporting on the following 4 indicators proposed by the EPA Office of Water:

11. PWS Drinking Water Quality - number and percentage of CWS (and population served) with one or more violations of health-based requirements during the year, reported separately for violations of the Total Coliform Rule, SWTR, Nitrate, Lead and Copper rule, and all other regulated contaminants. (Data obtained in SDWIS)

12. PWS Drinking Water Quality - Number and percentage of unfiltered public water systems (and populations served) not in compliance with the State requirement to install filtration treatment under the SWTR (data obtained from SDWIS.)

13. PWS Program - Percentage of community and non-transient noncommunity water systems (and population served) with lead levels in drinking water exceeding the action level in the Lead and Copper Regulation (data obtained from SDWIS.)

14. Ambient Ground Water Quality - Population provided drinking water from groundwater sources with concentrations of nitrate above the MCL (data from SDWIS)

NYSDOH and NYSDEC will together report the following two indicators. The workgroup will better define when and how No. 16 will be measured:

15. PWS Source Water Quality (surface water only) -- Percentage of assessed rivers, streams, and reservoirs designated for drinking water use that fully support use a drinking water supply. (Data obtained from 305 (b) submissions)

16. PWS Source Water Protection - Number and percentage of community water systems (and population served) with groundwater or surface water protection programs in place (data obtained from SDWIS, starting in FY98)

EPA, NYSDEC and NYSDOH will establish a Environmental Indicators Workgroup in April 1997 (meeting approximately monthly). Expectations for this workgroup are to review both the current set of PPA indicators, as well incorporate the upcoming national core measures. The workgroup will determine if we are using the best available measurement techniques and if this is a meaningful set of measures to evaluate water quality in NY State or if additional measures are needed. The group will consider, at the least, the following:

- o USEPA OW "core measures" for FY98 (due in draft April 1)
- o Indicators from CBEP projects in NY
- o QA/QC issues
- o Measurement questions for the FY97 measures (ex: NPS loadings)

o Discuss the usefulness of quantitative measures of progress
o Develop mutual understanding of the validity of national measures (percentage of designated use support)
o Determine the feasibility, means and schedule for reporting on indicator 3 (groundwater indicators)

The workgroup will help ensure that the indicators selected through the effort are relevant measures of environmental condition of interest, are technically feasible, and the information is valid and reliable. The workgroup will clarify how the reporting will be accomplished, e.g. through support of national databases, 305b reports or other.

IV.A.2. Office of Enforcement and Compliance Assurance

NYSDEC will ensure the NY State Water Program fulfillment of the ten OECA core performance measures which were among those prepared by the EPA program office in August 1995 for the 1996 Environmental Performance Agreements. The EPA will fulfill its roles pursuant to these same measures. PCS will serve as the primary source of information and primary vehicle for information transfer to EPA for most of the water program measures. The ten OECA measures are listed below. The due date for all ten is March, 1998.

Measures:

1. Compliance rates by industry sectors and by media.
2. Significant noncompliance rates by industry sector and by media.
3. Number of inspections conducted by State (equivalent to 80% of majors universe).
4. Number of administrative enforcement actions, number of civil judicial, and number of criminal action (a) initiated by each media, and (b) concluded for each media.
5. Describe up to ten State enforcement settlements in which innovative Supplemental Environmental Projects (SEPs) or injunctive relief are utilized.
6. Average time (for each media) needed by State either to return significant violator to compliance or to issue appropriate enforceable compliance plan starting from identification of violation (equivalent to timely and appropriate timeframe).
7. Percent of significant violators in each media that have new or recurrent significant violations within two years of receiving of formal enforcement action.
8. Reduction in pollutant emissions, discharge loadings, and improperly managed substances achieved by State through enforcement settlements including SEPs and injunctive relief.
9. Describe State's compliance assistance program including: the types of assistance provided; the number, and percent of facilities in industry sectors, assisted through each type; and an evaluation of effectiveness using available data.
10. Percent of facilities seeking assistance under the Interim Policy on compliance Incentives for Small Business, which complied within the requisite correction period (180 days or 360 days with pollution prevention).

Program descriptions and guidance (TOGS) will be used to describe DEC's Environmental Benefit Policy (equivalent of EPA's SEP) and DEC Water Program's compliance assistance program which are called for by specific OECA measures.

IV.B. State-wide Programmatic Indicators

Statewide programmatic indicators supplement the national indicators.

1. **Underground Injection Control:**

   Class V industrial waste injection wells closed in high priority groundwater areas. (EPA)

2. **Ground Water Management:**

   Finalize Comprehensive State Groundwater Protection Program (CSGWPP) Core. Program (DEC). (09/97)

3. **Surface Water Quality Management (DEC):**

   First automated annual electronic update of the 1996 305(b) report to EPA. (8/97)
   WQS revisions, including adoption of site-specific copper criteria for NY/NJ Harbor, submitted to EPA. (10/97)
   Complete reclassification process. (10/97)
   NYSDEC adoption of GLWQI requirements. (10/97)
   Develop, public notice, respond to comments, and submit to EPA, NY's 1998 303(d) list by April 1, 1998.
   Submittal of high-priority TMDLs from 303(d) list to EPA for review and approval. (ongoing)
   Develop and submit to EPA, as appropriate, Phase II phosphorus TMDLs by the latter of December 1998 or 180 days after NYCDEP submits Phase II TMDL Reservoir Reports to NYSDEC. (12/98)
   Complete Final Reports for all Clean Lake Projects whose funding has expired. (09/97)

- Finalize reclassification of St. Lawrence River, Lake Champlain and Hudson River Drainage Basin. (3/98)

3. **Surface Water Quality Management (EPA):**

   EPA approval of WQS revisions, the reclassifications and the GLWQI submittal. (12/97)

EPA approval of TMDLs within 30 days of submittal.

EPA approval of the 1998 303(d) List within 30 days of submittal. (5/98)

EPA approval of Phase II phosphorus TMDLs within 30 days of submittal. (1/99)

4. National Pollutant Discharge Elimination System:

SPDES Permit Development - NYSDEC develops SPDES permits on an environmental priority basis via the Environmental Benefit Permit Strategy (EBPS) system. During the program year, NYSDEC will develop permit modifications for the top 10% of the SPDES permits on the EBPS Priority Ranking. (03/98)

Combined Sewer Overflows - The NYSDEC CSO Control Strategy requires all CSO permittees to implement 13 Best Management Practices (BMPs). These effectively embrace the 9 minimum controls called for by the National CSO Policy. During the program year, NYSDEC will continue to modify SPDES permits with CSOs to provide coverage 75% of the number of Statewide CSOs (outfalls) with enforceable BMPs. (03/98)

EPA will review and approve 14 industrial pretreatment program modification requests between 4/1/97 and 3/31/98. EPA will report to NYSDEC by 6/30/97 on opportunities to increase this commitment, and eliminate, over time, the current backlog.

NYSDEC will assure timely and appropriate enforcement action.

- Bypasses-short-term: DEC and EPA will develop an interim MOU to clarify DEC notification responsibilities under the existing TOGS, for EPA and identify other appropriate impacted parties who should be notified. (Completion Date June 30, 1997)

5. Wetlands:

DEC/EPA jointly sponsor Saratoga County Local Government Workshop to be held in 5/97. Objective: Improve general local knowledge of wetlands; their locations, values, and available protection measures.

6. Dredged Material Management:

Develop SEIS for Historic Area Remediation Site (HARS) (EPA/COE)

Promulgate rulemaking package for designation of MDS and delegation of HARS

(EPA)

Update freshwater and marine sediment guideline for the assessment of dredged material disposal. (DEC) (10/97)

NYSDEC commits to the identification of disposal locations within the State of New York where dredged material is allowed to be disposed. All state standards and criteria which would apply to that disposal shall be identified. (03/98)

7. Sediment Management Program:

- NYSDEC will maintain the National Sediment Inventory in the Great Lakes portion of New York State. As time and resources permit, the data in the inventory from the remaining areas of the state will be edited and subsequently maintained. (03/98)

NYSDEC will conduct field studies to augment the data in the National Sediment Inventory and to investigate areas known or suspected of containing contaminated sediments. The EPA will provide adequate resources to support the analytical portion of these studies. (On going; progress report 3/98)

8. State Revolving Fund:

Clean Water SRF:
DEC and EPA will promote the SRF program to municipalities. EFC will finance high priority projects for which municipalities apply for funds. DEC/EFC will ensure that the project priority system scores these projects highly so that they qualify for financing in the year in which they are ready to be financed. Strategic enforcement by EPA and DEC will be used to encourage municipalities to move forward with their projects. This is a continuing baseline activity that can be evaluated on an annual basis. (03/98)

NYSDOH/NYSEFC commit to develop outlay projections for FFY'98, track actual outlays on a monthly basis, and take necessary and appropriate actions to assure making cumulative outlays.

NYSEFC/NYSDEC commit to take necessary and appropriate actions to assure the making of cumulative SRF outlays as follows:

FFY 97	**Qt. 1**	**Qt. 2**	**Qt. 3**	**Qt. 4**
SRF outlays	$40 million	$137 million	$165 million	$201 million

Drinking Water SRF

Begin project funding 1997.

Coordination with other water supply funding sources, including the State's Clean Water/Clean Air Bond Act.

9. Construction Grants (205(g)):

NYSDEC agrees to continue to complete and close out the construction grants program in accordance with the annual staffing plan and the annual State specific strategy. NYSDEC commits to take necessary and appropriate actions to assure the making of cumulative construction grant outlays, and administrative completions and Step 3/4 close outs as follows:

FFY 97	**Qt. 1**	**Qt. 2**	**Qt. 3**	**Qt. 4**
Construction Grant Outlays	$4 million	$20* million	$26 million	$30 million
Administrative Completions	1	0.00	1	0.00
Step 3/4 Closeouts	4	5	4	4

* Includes $13.2 million for Oakwood Beach (C360392)

EPA will make necessary rulings on construction grants project appeals to allow for timely transfer of recovered construction grant funds (not needed for construction grant projects) to the SRF by the end of FFY98.

10. Nonpoint Source Management (NYSDEC):

Complete updating NPS management program. (12/97)

Report progress on achieving the established NPS program goals and the success of the NPS Program for those projects not in GRTS. (3/98)

Begin entering implementation project information into GRTS for non-point source management projects funded with FFY97 PPG funds and SFY 97/98 Environmental Protection Funds.

11. Public Water System Supervision Program:

NYSDOH will assure compliance with Part 5 of the State Sanitary Code (SSC) by, through timely and appropriate action, bringing all significant non-compliers (SNCs) into compliance or negotiate a voluntary signed compliance schedule or initiate formal legal proceedings within six months of discovery. Report status of SNCs quarterly to EPA.

NYSDOH will ensure full implementation of all priorities (1, 2&3) by completing at least a partial data verification at each local health department (LHD). (DOH)

EPA will conduct at least 2 on-site data verifications of local health units per year.

NYSDOH will assure public health protection at surface public water systems, by assuring unfiltered community and noncommunity surface water supplies follow established compliance schedules, exemption approvals, or stipulations to meet filtration mandates. NYSDOH will also assure that monitoring requirements are enforced.

NYSDOH will maintain a state data management system and report timely and complete to EPA quarterly; violations, inventory updates, and enforcement actions (or appropriate follow-up information) for all water systems consistent with State Priority Guidance. NYSDOH will assure that information required for OECA "Core" Measures applicable to the PWS program is reported to SDWIS, or through other means of reporting commitments in the PPA.

12. Source Water Protection:

NYSDOH will report to EPA on the number and percentage of community water systems (and population served) with groundwater or surface water protection programs in place (data obtained from SDWIS), starting in FFY 98.

NYSDOH will coordinate with DEC on preparation of the Wellhead Protection Biennial Report (due 10/97), which will serve as an indicator for the ground water component of Source Water Protection.

13. Data Management (NYSDEC):

DEC will maintain 100% of required WENDB data elements in PCS (3/98)

Approximately 5.5% of all N/SPDES parameters for EPA majors reported to DEC and into PCS will be submitted electronically as part of EDI pilot (DEC). (9/97)

14. Public Participation:

Provide forums for public review and comment on the water quality PPA thru WMAC, public notice and internet. (6/97)

Encourage and support community-based environmental protection initiatives to implement the PPA through WMAC, public notice and the internet. (Ongoing)

15. Staff Sharing:

Finalize Staff Sharing Memorandum Of Agreement between EPA Region 2 and NYSDEC. (To be included as Appendix 3). (6/30/97)

16. Environmental Indicators Workgroup (NYSDEC, NYSDOH, EPA) :

Issue recommendations, clarifying how reporting of all indicators will be accomplished and presented for public review. (9/30/97)

IV.C. Regional/Local Indicators

NYSDEC and EPA have agreed on the following Regional/Local Indicators to be fulfilled, whenever feasible, through the Community-Based Environmental Protection Process.

1. Community-Based Environmental Protection Initiatives:

Report on status of commitments in watershed and placed-based projects (e.g., HEP). (annually)

Final, written plan for CBEP program implementation, highlighting ongoing and proposed activities to encourage development of local-lead CBEP projects.

- Articulate a comprehensive strategy. (9/97)
- Report on CBEP progress by (12/97).

2. Great Lakes:

Finalize Lake Ontario Stage I LaMP. Draft - April 97 (Done), Final - Fall 97 (EPA/DEC)

Produce annual Four-Party Lake Ontario LaMP Progress Report and Work Plan. (EPA/DEC)

Produce annual Four Party NRTMP Progress Report and Work Plan (EPA/DEC)

Finalize Rochester and Eighteen Mile Creek RAPs, and prepare biennial updates that demonstrate progress in restoring beneficial uses in the Buffalo River and Niagara River RAPs. (DEC)

DEC and EPA Region 2 will participate in Trackdown Workgroup to identify: immediate remediation opportunities; and future enhanced monitoring activities supporting the identification and remediation of sources of priority toxics in the Great Lakes basin.

-- The workgroup recommendations are expected by 9/30/97
-- $162,500 in non-personal services will be reserved to support implementation of workgroup recommendations.
-- Existing personal services in the Great Lakes FY97 grant will be used to support implementation of workgroup recommendations.

These performance measures rely on products that NYSDEC and/or EPA are already committed to generate, separate from the PPA process. Since the timing of these products will not necessarily coincide with EPA's annual grants cycle, EPA and NYSDEC agree that any progress in the New York Great Lakes program that is not reflected in the performance measures will be included in a DOW status report, which is developed as part of the annual PPA.

3. Onondaga Lake Management Conference:

DEC, with EPA concurrence, submits settlement proposal to court. (8/97)

Revise OLMP to reflect agreed upon plan. (03/98)

4. Long Island Sound Study:

Report on status of LISS CCMP implementation using management conference approved format. (Twice a year)

Meet EPA and NYSDEC commitments in the CCMP. (ongoing)

5. NYC Watershed:

100% of N/SPDES permits in NYC Watershed will be treated as NYSDEC significant class dischargers and will receive surveillance and compliance oversight/violation response consistent with existing EPA/DEC agreements governing NPDES authorization and NYSDEC/NYCDEP MOU with addendum outlining NPDES implementation.

NYSDEC and NYSDOH will assist NYCDEP in complying with Filtration Avoidance Decision (FAD) by fulfilling the State commitments outlined in the FAD and MOA as appropriate.

6. Peconic Estuary:

EPA and NY State will meet commitments in Action Plan. (ongoing)

Complete Interim CCMP. (EPA/DEC) (7/97)

7. New York/New Jersey Harbor Estuary/Bight:

Meet EPA and NYSDEC commitments in the CCMP. NYSDEC will submit an appropriate bi-state workplan with NJDEP for the Harbor-wide and Arthur Kill Trackdown efforts. (ongoing)

- Develop QA/QC Workplan with HEP and NJDEP addressing overall harbor trackdown effort which includes EPA, DEC and other funding (July 1997) HEP Technical Workgroup to provide project oversight. Disbursement of federal funds contingent on approval of QA/QC Plan.

8. Citizen Statewide Lake Assessment Program:

Annual Report on CSLAP. (DEC) (12/97)

Finalize management plans for those lakes in which there are 5 years of monitoring data available (list of lakes will be provided). (DEC) (ongoing)

9. Finger Lakes:

Continue dialogue with stakeholders. (DEC) (ongoing)

Continue work to develop a “State of the Lake” report on the Finger Lakes.

(DEC) (ongoing)
Initiate development of Lake Management Plan for Owasco Lake working with Cayugo County S. & W. C. D. (9/97)
DEC to submit report documenting 5% match to Finger Lakes funds provided to DEC by USEPA.

10. Lake Champlain Management Conference:

Complete and begin implementation of phosphorus reduction strategy. (DEC) (ongoing)

IV.D. Quality Assurance

In order to assure that all data generated under this Agreement will be of known and documented quality suitable for their use as environmental indicators, program outputs and other expressions of environmental condition, NYSDEC will maintain a quality assurance management program. NYSDEC will appoint a Quality Assurance person or group from each EPA funded program to be responsible for preparing a Quality Assurance Management Plan (QMP) for that program in accordance with EPA QA/R-2, and for overseeing the generation, evaluation and reporting of data, associated data quality indicators and documentation, such that all environmental results reported under the PPA meet the criteria necessary to accurately represent environmental conditions, changes, and trends. The EPA Region 2 Quality Assurance Office will work with NYSDEC to implement components of the agreement by providing guidance, training and technical support.

IV.E. Indicators and Measures of Progress for the SFY 96/97 PPA for the Period April 1, 1996 - September 30, 1996

In the previous PPA covering SFY 1996/97, NYSDEC and EPA were responsible for reporting on the programmatic commitments listed in Section IV of that document. Additionally, although not a partner in the previous PPA, NYSDOH was responsible for reporting to EPA on those national indicators which pertain to its lead programs. A progress report covering the first six month of the previous PPA (4/1/96 -9/30/96) is included in Appendix 4 of this document.

Section V - Fiscal Accountability

A driving force in DOW's desire to enter into a PPA with the EPA and other cooperating partners is the financial realities that the DOW faces. The DOW does not have sufficient staff or money to address all the programs that it is currently responsible for. We must look at the PPA as an opportunity to join our forces and funds with other interested parties in protecting and enhancing the water resources in New York.

DEC has a system in place to adequately account for salary and non-salary expenditures at the level deemed appropriate for the PPA. The State Central Accounting System uses a ten digit cost center to identify either the grant or specific project for which the costs are incurred. The system uses a four digit Time & Activity (T&A) code which identifies the function or task being performed by an individual.

The first step in the grant process is preparing the advanced notice forms for federal aid applications to the appropriate State regional clearinghouses and allowing them sufficient time to comment. For all FFY97 grants, the DOW has applied for each grant on an individual basis notifying the clearinghouses that our intent is to include all grants allowed by the appropriations bills within the Performance Partnership Grant (PPG).

The next step is to prepare the application requesting federal funding from EPA. Effective October 1, 1996, DOW received its first PPG which incorporated the FFY97 activities of the National Pollutant Discharge Elimination System (NPDES)-related §104(b)(3) Program and the Water Pollution Control CWA §106 Program. The grant award was established with a continuing project period and a budget period based on the Federal Fiscal Year, i.e., October 1, 1996 through September 30, 1997. In an effort to realign the PPG budget period to that of the State Fiscal Year (April through March), NYSDEC prepared an amendment application to the current PPG award which included the Nonpoint Source Implementation (CWA §319(h)) Program and the NPDES-related §104(b)(3) Program. The budget period for both programs will be April 1, 1997 through March 31, 1998. Again, in July 1997 NYSDEC will submit a second PPG amendment which will request that one-half of the FFY98 Water Pollution Control funding be incorporated into the PPG. This award will have a budget period of October 1, 1997 through March 31, 1998 and will be the final step in aligning the PPG with the state fiscal year.

All other Federally supported grant activities that are included in the PPA, but are not eligible for inclusion in a PPG, will be applied for under separate application. NYSDEC determines the estimated amount for personal services, fringe benefit, and indirect costs based on the SFY 97/98 DOW PPA. These work years for the PPG will not be tied back to any one specific grant but instead be the total required PPG funding expressed in the PPA. Then NYSDEC prepares a plan for the remaining non-personal services portion of the grant. The State match is the sum of the minimum cost share of the funding sources included in the PPG. To calculate a minimum cost share NYSDEC would use either a program's match requirement or a maintenance/level of effort

requirement, depending on the relevant categorical grant program's source of funds. For example, the Clean Water Act 106 program established the level of effort and amount that will be used as the required cost share; but, for programs that have both a match and a maintenance of effort (MOE) requirement, (i.e., the Nonpoint Source Section 319(h) program) the greater of the MOE or the 40% match requirement would be used as the cost share for that program. The minimum cost share for the PPG will be the sum of the comprised components. A breakout of all eligible component programs and associated cost shares will be included in the PPG application. Further, it is understood that once the PPG is awarded NYSDEC will not be expected to tie the cost share dollars back to specific programs funded under the PPG. As allowed by OMB Guidance, NYSDEC thus has the flexibility to realign these resources among environmental programs based on negotiated priorities in the PPA, provided that the differences between budgeted and actual costs are less than ten percent, however, the total resources in the PPG targeted to environmental water program will not be reduced.

NYSDEC will continue to follow the regulations for Standards for Financial Management Systems contained in 40 CFR Part 31.20. NYSDEC will maintain accounting and financial records which adequately identify the source (i.e., Federal funds and match) and application of funds provided for PPG activities. These records will contain relevant information such as obligations, unobligated balances, outlays, expenditures and program income. NYSDEC will track PPG funds to the total effort or costs incurred for the PPG work. EPA will reimburse the recipient of the federal share of the costs from the PPG budgetary program element. PPG costs will not be tracked to each of the original individual categorical source(s) of grant funding. The financial system used by the State affords an excellent audit trail from summary reporting down to the supporting source transaction detail.

All NYSDEC grant applications must receive Division of Management & Budget approval before submission to the Federal agency. All matching fund requirements are identified and budgeted during this approval process. The grantor's review and approval ensure that eligibility criteria for the program are met.

When the PPG (or individual project grant) is awarded, NYSDEC will set up appropriate T&A codes and cost centers. NYSDEC will use cost centers to meet separate reporting requirements and maintain a T&A system to meet the time distribution requirements of grants. In past years, T&A codes were established to meet reporting requirements of the individual, categorical grants. Many of these T&A codes will not be necessary because the PPG combines these individual grants and reduces the level of detailed reporting. For this PPG, NYSDEC will continue to use specific T&A codes and cost centers to track funding back to the original Federal appropriations, as well as maintaining them for those on-going grants that have not been closed out. In future PPG applications, NYSDEC plans to reduce our total T&A codes and cost centers to meet only those major objectives within the workplan or when necessary for management purposes. DEC has requested that EPA pursue the option of combining DOW’s numerous geographical/project grants into one grant award.

Funds are made available for expenditure based on the approved grant award(s) which specifies allowable costs. During the year, the program monitors T&A and cost center expenditures and executes contracts to comply with State and Federal laws. Program divisions are responsible for limiting charges against the cost center and time sheet codes assigned for this program to eligible expenditures only. Each time record must be reviewed and approved by a supervisor certifying that time and effort codes and other information were recorded correctly. Monthly and quarterly time and activity reports are reviewed by each program division. Also, reconciliation between reports and payrolls are completed by the Management & Budget Office. Quarterly non-personal services funds are monitored and reports reviewed for accuracy. Data is provided by the Office of the State Comptroller (OSC) in the form of M161 and M085 computer files which contain the information shown in the OSC's VOU670 "Source Transactions Reports" and BUD060 "Cost Center Status Reports". NYSDEC maintains a computerized Time and Activity Reporting System which is based on data recorded on employee time sheets and data provided by OSC payroll computer files for the corresponding periods.

Time distribution reports, cost center reports, approved cost allocation plans (indirect costs), and all source transaction documents which support Financial Status Reports (FSRs) go through a review and reconciliation process to ensure their accuracy.

Fringe benefit rates are established by the OSC on an annual basis and indirect cost rates are negotiated with EPA on an annual basis. Indirect costs allocated to this program are based on Cognizant Agency Negotiation Agreements covering indirect cost rates negotiated with the EPA pursuant to OMB Circular A-87.

In the preparation of NYSDEC's annual indirect cost rate proposal to be submitted to EPA, all Department expenditures are classified and pooled into direct or indirect categories. Costs are further classified into eligible and ineligible categories pursuant to OMB Circular A-87. When the indirect cost rate proposal has been negotiated with EPA, indirect costs are captured based on actual direct labor plus fringe benefit costs.

Annual FSRs are comprised of T&A expenditures for the personal services, fringe and indirect cost portion of the grant award and cost center expenditures for the non-personal services portion. The Federal share of expenditures on an FSR are computed by applying the Federal share percentage times total eligible expenditures (up to the total grant award) regardless of original funding source. The reconciliation of Federal accounts and FSRs usually occur after the period for which they were incurred. Expenditures on FSRs are almost always on an accrual basis. NYSDEC's Federal FSRs are based directly on expenditure data from the State Central Accounting System. The same computerized data used to reconcile the T&A and non-personal services expenditures by program on a quarterly or monthly basis is used by the Division of Management& Budget when preparing the annual FSRs.

The budget period for this PPG will be established for an 18 month period to align Federal funding with the state fiscal year. Future PPGs will be on a 12 month period. Normally, a

"final" FSR is due to EPA 90 days after the end of the budget period and all obligations incurred must be liquidated at that time. For DEC's initial PPG award (BG992574-97), including all amendments, an FSR, supplemented by a summary of total (i.e., lump-sum) expenditures for each of the PPG funding sources (106, 104b3 and 319) should be submitted by 6/30/98. EPA may extend the due date to submit FSRs upon written request and submission of an "interim" FSR whenever unliquidated obligations are reported; however, a "final" FSR will be submitted no later than 180 days after the end of the budget period. All contractual agreements shall be entered in a timely manner to ensure the submission of a 'final' FSR within the prescribed time frame. This PPA covers the entire EPA supported NYSDEC DOW work efforts. Tables A and B on the following pages identify the work years by program element for both the base and the CBEP programs, and the federal funding amounts and allocations for each grant category. These work years will be compared to the PPG and individual project grant applications to verify the total personnel services cost. In addition, the PPG and individual project grant applications will provide the breakdown and justification for the program budget categories (e.g., travel, equipment, contracts, etc.). All PPG applications and amendments will be submitted in accordance with established regional policy.

NYSDEC DOW continues to participate as one of four states in the nation to take part in the Partnership 2000 autogrant pilot project. This project's goal is to make the grants management process an electronic (rather than paper) system.

Table A

NYS PPA-Supported State WorkYears by Program Element [1]

Program Element Categories	EPA PPG [2]	State PPG Match [3]	State EPA Eligible Not Planned for Use As Match	EPA LIS, FL & HEP Toxics no match	State Funded/ Non-EPA Eligible	State Match for HEP, 104g & LCMC	EPA Section 604(b) no match	EPA HEP & LCMC	Non EPA Federal FEMA without match	EPA Great Lakes no match	Other [5]	State NYC Watershed	DOW TOTAL [2]
BASE PROGRAMS													
Public Participation	3.10	3.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**6.10**
Groundwater Management	4.30	4.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**8.60**
NPDES	30.10	17.50	5.00	0.00	0.00	0.10	10.10	0.00	0.00	0.00	0.50	0.00	**63.30**
Wetlands Program	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**0.00**
Dredged Material Management	0.80	0.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**1.60**
Sediment Management	1.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**2.00**
SRF [4]	1.70	1.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.00	0.00	**7.30**
Non-Point Source Management	14.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**14.00**
Data Management	5.40	6.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.60	0.00	**12.30**
Surface Water Management	12.30	8.80	4.90	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.00	0.00	**33.00**
Water Supply Permitting Reservoir Release & Drought Mgmt.	0.00	0.00	0.00	0.00	7.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**7.00**

Program Element Categories	EPA PPG [2]	State PPG Match [3]	State EPA Eligible Not Planned for Use As Match	EPA LIS, FL & HEP Toxics no match	State Funded/ Non-EPA Eligible	State Match for HEP, 104g & LCMC	EPA Section 604(b) no match	EPA HEP & LCMC	Non EPA Federal FEMA without match	EPA Great Lakes no match	Other [5]	State NYC Watershed	DOW TOTAL [2]
COMMUNITY-BASED ENVIRONMENTAL PROTECTION													
Great Lakes	10.10	9.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	13.00	0.00	0.00	**32.20**
Onondaga Lake	0.60	0.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	0.00	**2.20**
Long Island Sound	2.60	2.60	0.00	3.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**8.20**
NYC Watershed	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.50	**8.50**
Peconic Bay	0.40	0.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**0.80**
NY/NJ Harbor	1.80	1.70	0.00	1.20	0.00	0.50	0.00	1.50	0.00	0.00	0.00	0.00	**6.70**
Lake Champlain	2.50	2.40	0.00	0.00	0.00	0.70	0.00	1.20	0.00	0.00	0.00	0.00	**6.80**
Flood Protection	0.00	0.00	0.00	0.00	26.20	0.00	0.00	0.00	2.60	0.00	1.00	0.00	**29.80**
Finger Lakes	1.40	0.80	0.00	0.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**2.80**
CSLAP	3.30	3.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**6.60**
Non DOW Management	0.00	0.00	0.00	0.00	4.90	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**4.90**
TOTAL [6]	**95.40**	**64.20**	**9.90**	**4.80**	**38.10**	**1.30**	**10.10**	**2.70**	**2.60**	**13.00**	**14.10**	**8.50**	**264.70**

[1] Table A shows NYSDEC-DOW workyears only. For NYSDOH, FFY'97 PWSS grant award supported 103.5 total (federal & state) FTEs.
[2] Workyears are based on the average DOW salary of $86,584 ($51,075 PS + 14,919 (29.21% FB + 20,590 (31.2% ICR) Total workyears includes 13.8 nps contractual employees as follows: PP-.8, npdes .3, nps 2.5, data m-2.0, sw-.4, GL-2.7, OL-.1, LIS-.4, PB-.1, NY/NJ-.4, LC-1.2, FL-.1, CSLAP-2.8.
[3] $5,558,261 or 64.2 workyears is considered PPG match . Additional PPG match requirement will be met through the $4.M EPF fund in the NYS 96/97 (obligated after 4/1/97) and 97/98 proposed budget for local nonpoint source implementation projects. Additional DER HSBS as well as DOH lab hours T&A may be claimed also.
[4] SRF related tasks, in excess of the SRF funding DOW receives from EFC, are eligible for inclusion in the PPG.
[5] Other = 4 EFC SRF, 4 State Monitors, 1 federal Onondaga, 3 State Hazardous Waste Remediation , 1 State Capital and .5 State Executive and .6 federal GIS.
[6] Totals in each column represent the amount of workyears funded by that particular funding source.

Table B
NYS PPA-Supported State Program Grant Awards and Estimated Allocations[1]

Grant or Funding Source	Classification [2]	Carry Forward Balance 4/1/97	Plus FFY'97 Funding yet to be awarded	Less Estimated Expenditure Allocation Based on PPA [3]	Plus FFY'98 Award to be added 9/97	Carry Forward Balance 3/31/98
EPA PPG [4]	PS NPS	(1,391,820) 25,302	6,596,396 1,833,582	(7,062,469) (2,009,232)	1,857,893 150,348	0 0
State PPG Match [5]	PS NPS	0 0	5,558,261 2,255,376	(5,558,261) (2,255,376)	0 0	0 0
State EPA Eligible Not Planned for Use As Match	PS NPS	0 0	857,182 345,000	(857,182) (345,000)	0 0	0 0
EPA Long Island Sound (LIS) [6]	PS NPS	59,725 175,000	200,000 0	(259,725) (175,000)	0 0	0 0
EPA HEP Toxics [6]	PS NPS		106,000 0	(106,000) (0)	0 0	0 0
EPA Finger Lakes (FL) [6]	PS NPS	0 0	50,000 12,500	(50,000) (12,500)	0 0	0 0
State Funded/Non-EPA Eligible	PS NPS	0 0	3,298,850 155,000	(3,298,850) (155,000)	0 0	0 0
State Match for 104g [6]	PS NPS	0 0	11,667 0	(11,667) (0)	0 0	0 0
State Match for HEP [6]	PS NPS	0 0	42,396 0	(42,396) (0)	0 0	0 0
State Match for LCMC [6]	PS NPS	0 0	61,667 0	(61,667) (0)	0 0	0 0
EPA 604(b)	PS NPS Pass-Thru	467,556 16,224 899,766	406,946 9,972 277,946	(874,502) (26,196) (577,246)	0 0 0	0 0 600,466
EPA Harbor Estuary Program (HEP) [6]	PS NPS	0 0	127,187 0	(127,187) (0)	0 0	0 0

Grant or Funding Source	Classification [2]	Carry Forward Balance 4/1/97	Plus FFY'97 Funding yet to be awarded	Less Estimated Expenditure Allocation Based on PPA [3]	Plus FFY'98 Award to be added 9/97	Carry Forward Balance 3/31/98
EPA LCMC [6][7]	PS NPS	0 0	105,000 30,000	(105,000) (30,000)	0 0	0 0
Non EPA Federal FEMA w/o match	PS NPS	112,500 0	0 0	(225,000) (0)	112,500 0	0 0
Great Lakes [6]	PS NPS	0 441,720	1,129,172	(1,129,172) (441,720)	0 0	0 0
Other - State Revolving Fund (SRF)	PS NPS	0 0	346,336 13,100	(346,336) (13,100)	0 0	0 0
Other - Monitors, Onondaga, HWR, Capital & Exec.	PS NPS	0 0	822,548 8,200	(822,548) (8,200)	0 0	0 0
Other - Geographic Information System (GIS/GPS)	PS NPS	50,000 0	0 0	(50,000) (0)	0 0	0 0
State NYC Watershed	PS NPS	0 0	735,964 0	(735,964) (0)	0 0	0 0
Section 319(h) (No WY)	PS NPS Pass-Thru	0 0 742,372	0 0 0	(0) (0) (742,372)	0 0 0	0 0 0
104(g) (No WY)	PS NPS	0 50,000	0 35,000	(0) (85,000)	0 0	0 0
Prior Year 106 Discretionary currently at NEI	PS NPS	0 100,000	0 0	(0) (100,000)	0 0	0 0
Great Lakes National Program Office (GLNPO) (No WY) [6]	PS NPS	0 28,600	0 0	(0) (28,600)	0 0	0 0

Grant or Funding Source	Classification [2]	Carry Forward Balance 4/1/97	Plus FFY'97 Funding yet to be awarded	Less Estimated Expenditure Allocation Based on PPA [3]	Plus FFY'98 Award to be added 9/97	Carry Forward Balance 3/31/98
TOTAL	**PS**	**(702,039)**	**20,455,572**	**(21,723,926)**	**1,970,393**	**0**
	NPS	**836,846**	**4,697,730**	**(5,684,924)**	**150,348**	**0**
	Pass-Thru	**1,642,138**	**277,946**	**(1,319,618)**	**0**	**600,466**

[1] Table B shows NYSDEC-DOW awards only. For NYSDOH, FFY97 PWSS grant award was $4,543,500, supporting activities through 9/30/97. FFY 98 award expected in 1st quarter FFY 98. NYSDOH will determine whether to pursue alignment of PWSS grant budget period with PPA project period

[2] PS - Personal Services, NPS - Non-Personal Services

[3] PS is based on the average DOW salary of $86,584 ($51,075 PS + 14,919 (29.21% FB) + 20,590 (31.2% ICR). PS allocations correspond to workyear estimates in Table A.

[4] PPG carry in includes ($+511,791) ½ of 96 104b3 plus ($-1,903,611) deficit due to ½ FFY97 106 not being yet awarded for 10/1 - 3/31 work in the SFY 96/97 PPA; PPG awards on 4/1 include FY97 106, FY97 319 and FY97 104b3; October first award is ½ of FFY98 106 ($2,008,241 of which $155,348 is transferred to NEI and $1,857,893 to DEC). On NPS, $455,895 of FFY97 and $150,348 FFY98 should be transferred to NEI. Balance is for DEC NPS to be included in grant budget.

[5] One half of the FFY97 106 (10/1/96-9/30/97) match ($2,779,130) was met with SFY96/97 state funding prior to 4/1/97 based on the SFY96/97 PPA. The second half ($2,779,130) as well as ½ of the FFY98 106 will be met with SFY97/98 state funds as part of this SFY97/98 PPA.

[6] DOW has requested that EPA pursue consolidation of these individual grants into one geographic/project grant for the next funding cycle.

[7] $50,000 for Executive office LCMC staff is not included as part of DOW workyears.

NOTE: The carry forward balances are those funds projected to be unobligated on April 1st on grants already awarded to DEC. FFY97 funding are those funds appropriated in the FFY97 federal budget but not yet awarded to DEC. Estimated expenditures are those estimated to be needed to carryout the proposed PPA. FFY98 funds are based on the average award amounts to date. Carry forward balance projected for 3/31/98 are those estimated to be unobligated at that time.

Section VI - Public Involvement

VI.A. Public Participation in the Performance Partnership Agreement

The State proposes the following strategy to satisfy the pubic involvement requirements of the PPA.

Goal: Assist in developing the Performance Partnership Agreement so that the strategies outlined in it meet the needs of New York's citizens, and so that the EPA and involved State agencies are held accountable for the use of its resources. Outreach staff will facilitate the public's involvement in the development of the document by:

providing information on the PPA, self assessments and self assessment reviews to the public

providing a forum for public review and comment on the PPA and self assessments

Objectives:

Promote an awareness and understanding of the PPA and how it relates to the EPA and involved State agencies' mission, goals and work planning process.

Promote public consultation and involvement in the development of the PPA to meet EPA's requirements for awarding a PPG.

Encourage and support partnerships at all levels to improve and protect NY's natural resources.

Audiences:

- **Involved Public:** Informed individuals and groups actively involved in the EPA and involved State agencies' programs and planning.

  Statewide audiences, such as groups represented on the Water Management Advisory Committee. (List members or examples of members including governmental)

  Community Based/Geographically targeted audiences, such as:
  - Great Lakes programs
  - Lake Champlain Management Conference
  - National Estuary Management Conferences

- Hudson River Management Conferences
- County Water Quality Coordinating Committees
- Regional Planning and Development Boards

Potentially Involved Public: citizens and groups interested in protecting and improving New York's water resources; groups working or having the potential for working cooperatively with the Division on water issues. These groups are informed of issues of potential concern through notices placed in the Environmental Notice Bulletin and by other means appropriate to the issues of concern.

Activities:

1. Submit the self-assessment, self assessment review and PPA to the WMAC so that representatives of a wide range of statewide water interests can review them and comment. This 25-member committee has, since 1979, provided a focus and forum for discussing evolving water program policies and issues. It is made up of the representatives of statewide organizations from all sectors involved in water resource management, including business and industry; research and education; professional, civic and environmental groups; and three members representing the public at large. In addition, representatives of six state agencies and the EPA regularly attend the semi-annual meetings and participate in the correspondence consultations two or more times a year. Approximately 70 self-selected corresponding members receive agendas and minutes and are invited to attend and comment upon topics, as well. The Department of Health is an Adjunct Member of WMAC and drinking water issues are often discussed at WMAC meetings.

   The DOW uses the advisory committee as a sounding board for evolving policy, as a communications channel on program and regulatory directions to the sectors the members represent, and as a "reality check" to gain perspective and insight on Water program priorities.

2. Discuss the PPA and strategic planning process during the May and/or November 1997 meeting of WMAC to increase members' understanding and identify questions, comments or concerns..

3. Place a note in the ***Environmental Notice Bulletin*** concerning the PPA; make the PPA documents available upon request so that potentially involved audiences can become informed and provide comments. The ENB is NYS's official environmental notice bulletin. The ENB is a weekly publication of NYSDEC which provides information on environmental hearings, rules and regulations, and SEQRA actions by state and local government officials.
   The ENB has a varied subscription base that includes local governments, industries, engineering firms, law firms, consultants and not-for-profit organizations. The

Division of Water will compile responses and prepare and distribute a responsiveness summary. If applicable, the document will be modified to accommodate comments.

4. Use the forums provided by ***Water Courses, Clearwaters,*** and ***NY Environment*** to develop articles of appropriate length and detail describing the PPA/PPG for the audiences served by those publications so that they will understand and support our results orientation and look for/contribute to future reports.

5. Seek opportunities for Division leaders and program staff to explain the PPA process and to identify partners to peers at professional converences during the coming year to increase the base of potential or actual partners.

6. Place the PPA on the World Wide Web to make it available to a wider audience.

7. Hold a joint State (NYSDEC and DOH) /EPA open invitation public meeting or meetings in the Fall of 1997 to inform citizens about the PPA process, introduce the environmental indicators that the Environmental Indicators Workgroup is charged to develop (see IV.A.1); ask for suggestions and comments on the form and content of future agreements; and ask for input on effecient and effective ways to involve the public at large in future agreements. (See Section VI.B below for example of how the current public involvement process functions.) If a decision is made to include other media (air, hazardous waste, etc.) in future agreements, this effort will be expanded to include indicators and agreement content for those groups. If a decision is made to discontinue the PPA process for SFY98-99 the meeting(s) will not be held.

VI.B. Public Involvement in Water Programs

Introduction

The DOW has a good track record of dialog with targeted audiences through public participation for both ongoing and emerging programs. Although some programs receive public participation focus only during specific phases of program development, some, such as the Great Lakes programs, have had staff dedicated to their continuing needs.

For example, the primary goals of the Lake Ontario public involvement process have been to:

- Increase the understanding and awareness of Lake Ontario planning efforts;
- Provide various opportunities for meaningful public consultation in developing and implementing Lake Ontario management plans;
- Promote individual, corporate, governmental and non-governmental environmental stewardship actions;
- Build teamwork between programs and initiatives working to preserve and protect Lake Ontario.

The public involvement structure developed for the Lake Ontario Lakewide Management Plan aims to more fully support efforts to create and strengthen partnerships with citizens, groups, and organizations taking action in the Lake Ontario Basin. For each of the related elements, such as the site-specific Remedial Action Plans and the lakewide Toxics Management Plan, staff have prepared and implemented multilevel public participation plans. The Basin Team Initiative is a logical outgrowth of this process. Basin Teams will fulfill part of the Community Based Environmental Protection (CBEP) initiative by creating a network of partners ***at the regional and local levels in the Lake Ontario Basin. Basin Teams will provide the linkage among existing groups Great Lakes program groups and others, including County Water Quality Coordinating Committees, Regional Planning Councils, citizen-based watershed groups, municipalities, businesses and tribal governments to conserve, improve and protect the Lake Ontario Basin.***

Public involvement is also geared to certain phases of statewide programs, such as the Nonpoint Source Management Plan, now undergoing revision. In 1996 DOW staff helped plan and facilitate dialogue with members of county Water Quality Coordinating Committees at their annual conference to gain an understanding of local needs for funding, technical assistance and communication. Public involvement efforts for this and other programs will continue.

In addition, the DOW continues its commitment to develop and provide information and education outreach materials to support programs both broadly and specifically. The DOW has provided DEC's Environmental Education Centers with seed money to begin teacher workshops for Project WET, a national water curriculum supplement. The annual Water Week packet, other publications and audio-visual products are targeted to meet the needs of programs and audiences.

VI.B.1. Partial List of Statewide Partners

Division of Water Stewards

Water Management Advisory Committee

County Water Quality Coordinating Committees

New York Nonpoint Source Coordinating Committee

NYS Federation of Lake Associations (Statewide Lake Management Forum)

Environmental Protection Agency

NYS Water Resources Institute

Cornell Cooperative Extension

NYC Department of Environmental Protection

New York Water Environment Association

Business Council of New York State

NYS Department of Health

NYS Department of Transportation

Environmental Facilities Corporation

Natural Resources Conservation Service

New York Sea Grant

NYS Soil and Water Conservation Committee

Department of State

American Water Works Association

US Army Corps of Engineers

VI.B.2. Partial List of Partners in Geographically Targeted Areas

Oswego River RAP Remedial Advisory Committee

St. Lawrence at Massena RAP Remedial Advisory Committee

Lake Erie LaMP Binational Public Forum

Lake Ontario LaMP Public Involvement Committee

Niagara River LaMP Public Involvement Committee

Niagara River Ad-Hoc Public Involvement Workgroup

Lake Erie LaMP Public Involvement Committee

Rochester Embayment RAP Remedial Advisory Committee

Eighteenmile Creek RAP Remedial Advisory Committee

Niagara River RAP Remedial Advisory Committee

Buffalo River RAP Remedial Advisory Committee

Water Resource Board of the Finger Lakes

New York/New Jersey Harbor Estuary Program

SUNY Oneonta Biological Field Station

Rensselaer Polytechnic Institute (RPI) Freshwater Institute

Section VII - Process for Reporting Success

Section IV identifies the environmental and programmatic indicators at the national, state and regional/local levels that will be used to measure the success of the water program delivered in New York State by NYSDEC, NYSDOH, EPA and our partners. Many of these indicators are specifically identified in conjunction with explicit performance expectations. Others are identified more generally and without performance expectations. NYSDEC, NYSDOH and EPA Region 2 will establish a work group:

- to ensure that we have the ability to report, using quality-assured data for as many of the indicators as possible; and

- to identify the steps necessary so that we can report against a more complete set of indicators in future years.

NYSDEC, working in conjunction with NYSDOH have the primary responsibility for assessing the success of the water program in New York State. NYSDEC and NYSDOH will prepare an annual self-assessment using the indicators identified in Section IV. EPA Region 2 will review the State's assessment and supplement it, only as necessary.

The purpose of reporting successes is to demonstrate progress achieved in implementing the PPA. For EPA, the messages would be that we are meeting the requirements of federal laws and providing a good return on investment for EPA funding, and improving our protection of public health and the environment. The messages for EPA, the partners in all categories, and for the broader public are environmental progress achieved, the cost-effectiveness of partnerships and ways that potential partners can come into the process.

The reporting process can also accomplish other State goals of satisfying customer expectations and increasing stewardship by providing an opportunity for feedback and recognition. A questionnaire included in publications made available to the public could ask what environmental improvements the recipient expects to see and how these might be achieved; how they want to be involved, what additional information they would like and in what mode they want to receive it. The reporting process could also include recognition of outstanding accomplishments by partners in each of the identified categories. Meetings, exhibits and news releases are other means of communicating successes.

To a large extent, DEC's existing reports can serve as the major means of communicating with EPA, if they are rethought and redesigned as more user-friendly communication tools for broader publics. From these reports, not all of which are produced on an annual basis, a shorter, simpler, plain language document could be produced for the partners and interested publics, distributed upon request and in the Water Week packet.

for EPA	for partners	for interested public
305(b) report (5yr)	Exec summary	report card env'l results
Self assessment/PPA	basin reports	general summary partnership
Sediment inventory report	--	(replaces "Snapshot" and is part
Wellhead Protection rpt	--	of DEC ann'l report)

To complete the information loop, the DOW would also need some mechanism for obtaining reports from partners in a format that could easily translate into performance indicators, environmental indicators and be compiled by basin and, if appropriate, geographically targeted areas. Ideally, we would devise a system that cross references these categories. For example, the reports on partnership efforts for reducing point source loadings to surface and groundwater (Environmental indicator #7 -*see Section IV*) could be both summarized for the State and split by drainage basin. As a result, both the Statewide Wellhead Protection Report and the periodic basin reports would contain information about progress toward improving conditions, as measured by the relevant indicators.

In addition, DOW should consider an annual partnership and progress review jointly with EPA and WMAC, to include the Regional Water Engineers (perhaps during Water Week). Other options include a news release about the report card and exhibits for regions and State Fair.

Appendix 1

GLOSSARY OF ACRONYMS IN THIS DOCUMENT

AC&C	Abatement Control and Compliance Funds
AOC	Area of Concern, focus for Great Lakes Remedial Action Plans
ARC	Appalachian Regional Commission
ARCS	Assessment and Remediation of Contaminated Sediments
AVID	Advance Identification
BCCs	Bioaccumulative chemicals of concern
BMPs	Best Management Practices
BPJ	Best professional judgment
CAA	Clean Air Act
CAC	Citizen Advisory Committee
CAFO	Concentrated Animal Feeding Operation
CCMP	Comprehensive Conservation and Management Plan
CBEP	Community-Based Environmental Protection
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act (1980)
COE	(US Army) Corps of Engineers
CSGWPP	Comprehensive State Groundwater Protection Program
CSLAP	Citizens Statewide Lake Assessment Program
CSO	Combined Sewer Overflow
CWA	Clean Water Act (federal)
CWS	Community Water Supply

CZARA	Coastal Zone Act Reauthorization Amemdments of 1990
CZMA	Coastal Zone Management Act (federal) (§ 6217 controls NPS pollution in coastal areas)
DECA	Division of Enforcement and Compliance Assistance (EPA - Region 2)
DEIS	Draft Environmental Impact Statement
DEPP	Division of Environmental Planning and Protection (EPA - Region 2)
DESA	Division of Environmental Science and Assessment (EPA - Region 2)
DHWR	The Division of Hazardous Waste Remediation (NYSDEC)
DMR	Discharge Monitoring Reports - data from SPDES permit holders
DOI	Declaration of Intent
DOW	The Division of Water (NYSDEC)
EBPS	Environmental Benefit Permit Strategy, a method of prioritizing the review and issuance of SPDES permits for the most environmentally significant dischargers.
ECL	Environmental Conservation Law
EDI	Electronic Data Interchange
EEQ	Existing Effluent Quality
EFC	Environmental Facility Corporation
ENB	Environmental Notice Bulletin (New York State)
EPA	The United States Environmental Protection Agency - Region 2
EPF	(New York State) Environmental Protection Fund
ERRD	Emergency and Remedial Response Division (EPA - Region 2)
FAD	Filtration Avoidance Decision
FEIS	Final Environmental Impact Statement

FLA/WRB	Finger Lakes Association/Water Resources Board
FOLA	Federation of Lake Associations
FLAVCP	Finger Lakes Aquatic Vegetation Control Program
FRDS	Federal Reporting Data System
FSR	Financial Status Report
GICS	Grants Information Control System
GIS	Geographic Information System
GLC	Great Lakes Commission
GLG	Great Lakes Guidance
GLI	Great Lakes Initiative
GLNPO	Great Lakes National Program Office
GLCPG	Great Lakes Contaminated Sediment Program Grant
GLTXRE	Great Lakes Toxics Reduction Effort
GLWQI	Great Lakes Water Quality Initiative
GRTS	Grants Reporting and Tracking System
HEP	Harbor Estuary Program for New York/New Jersey Harbor
HARS	Historic Area Remediation Site
HUD	Housing and Urban Development
IADN	International Atmospheric Deposition Network
IFMS	Integrated Financial Management System
IMA	Interagency Memorandum of Agreement
IPP	Industrial Pretreatment Program

ISC	Interstate Sanitation Commission
LA	Load Allocation
LaMP	Lakewide Management Plan, in progress for Lake Ontario and Lake Erie
LIS	Long Island Sound
LISS	Long Island Sound Study
MCL	Maximum contaminant levels
MCP	Municipal Compliance Plan
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MDS	Mud Dump Site
N	Nitrogen
NEP	National Estuary Program
NEPPS	National Environmental Performance Partnership System
NGO	Non-governmental organization
NOAA	National Oceanographic and Atmospheric Administration
NOTL	Niagara-on-the-Lake
NPDES	National Pollutant Discharge Elimination System (see also SPDES) When designated N/SPDES, it covers both in New York State.
NPL	National Priority List (of hazardous waste sites)
NPS	Nonpoint source
NPSCC	(New York State) Nonpoint Source Coordinating Committee
NRCS	Natural Resource Conservation Service (formerly, Soil Cons. Service)

NRTMP	Niagara River Toxics Management Plan
NSI	National Sediment Inventory (database)
NTPWS	Non-transient public water supply
NYBRP	New York Bight Remedial Plan
NYC	New York City
NYCDEP	New York City Department of Environmental ProtectionNYSNew York State
NYSDEC	The New York State Department of Environmental Conservation
NYSDOH	The New York State Department of Health
NYSDOT	New York State Department of Transportation
NYSEFC	New York State Environmental Facilities Corporation
ODBA	Ocean Dumping Ban Act
ODES	Ocean Data Evaluation System
OECA	Office of Enforcement and Compliance Assistance (EPA Headquarters)
OLMC	Onondaga Lake Management Conference
OLMP	Onondaga Lake Management Plan
OMB	(New York State) Office of Management and Budget
OSC	(New York State) Office of the State Comptroller
P	Phosphorus
P2	Pollution Prevention
PCB	Polychlorinated Bi-Phenyl
PCS	Permit Compliance System
PEP	Peconic Estuary Program

POTW	Publicly Owned Treatment Works
PPA	Performance Partnership Agreement
PPG	Performance Partnership Grant
PPP	Performance Partnership Program
PPS	Project Priority Scoring (System), used to score and rank applications for State Revolving Fund monies.
PWP	Priority Water Problem (list), a compilation of surface water segments impaired by point or nonpoint source pollutants; since 1995, referred to as the Priority Water body List (PWL).
PWS	Public Water Supply
PWSS	Public Water Supply Supervision
QA/QC	Quality Assurance/Quality Control
QNCR	Quarterly Non-Compliance Report
RAPs	Remedial Action Plans, for the seven NYS areas of concern
RECD	Rural Economic Community Development
R-EMAP	Regional Environmental Monitoring and Assessment Program
RI/FS	Remedial Investigation/Feasibility Study
RIBS	Rotating Intensive Basin Surveys
ROD	Record of Decision
RUQuS	Review Updata and Query System
S&T	Status and Trends
SAMP	Special Area Management Plan (for wetlands)
SAPA	State Administrative Procedures Act

SAV	Submerged aquatic vegetation (in wetlands)
SDWA	(Federal) Safe Drinking Water Act
SDWIS	Safe Drinking Water Information System
SEQRA	State Environmental Quality Review Act
SERP	State Environmental Review Process
SIU	Significant Industrial User
SNAP	Significant Non-Compliance Action Program
SNC	Significant Non-compliance
SPDES	State Pollutant Discharge Elimination System (see NPDES)
SRF	The State Revolving Fund
SSA	Sole Source Aquifer
STP	Sewage Treatment Plant
SWEM	System-wide Eutrophication Model
T&A	Time and Activity
TCR	Total Chlorine Residual
TIE	Toxicity Identification Evaluation
TMDL	Total Maximum Daily Loading
TMP	Toxic Management Plan
TOGS	Technical and Operational Guidance Series
TW	Tidal Wetlands
USGS	United States Geological Survey
VOC	Volatile Organic Compounds

WCP	Whole Community Planning
WECC	Watershed Enforcement Coordination Committee
WENDB	Water Enforcement National Data Base
WHP	Wellhead protection (program)
WICSS	Water Integrated Compliance Strategy System
WLA	Wasteload allocation
WLIS	Western Long Island Sound
WMAC	Water Management Advisory Committee (DEC)
WQ	Water Quality
WQS	Water Quality Standards

Ambient Water Quality Information

Tables 1 - 8

TABLE 1
Degree of Best Use Support

Not Supporting/Precluded	Water quality and/or associated habitat degradation precludes, eliminates, or does not support a best use; natural ecosystem functions may be significantly disrupted. e.g.: Upper Hudson River closed to fishery due to PCB contamination. Sacandaga River devoid of benthic organisms due to flow extremes from power dam releases. This precludes viable fishery.
Partially Supporting/Impaired	Water quality and/or habitat characteristics frequently impair a best use. Also applied when the best use is supported, but at a level significantly less than would otherwise be expected. Natural ecosystem functions may be disrupted. e.g.: Beaches in marine water are often closed after storm events due to high coliform levels from CSOs and Storm water runoff. There is a specific advisory regarding white perch and small mouth bass consumption in the lower Mohawk River. This discourages fishing due to toxic concerns.
Partially Supporting/Stressed	Reduced water quality is occasionally evident and best uses are intermittently or marginally restricted. Natural ecosystems may exhibit adverse changes. e.g.: Ambient water column analyses indicate occasional standard violations, but impaired use not evident. Localized aesthetic problems exist.
Fully Supporting, but Threatened	Water quality presently supporting best use and ecosystems exhibit no obvious signs of stress. However, existing or changing land use patterns may result in restricted use or ecosystem disruption. e.g.: Numerous proposals for development in headwaters of water body or in area of small water body. Schoharie Creek is one example with residential pressure. The Battenkill is subject to pressure during high periods of papermaking cycles.

TABLE 2

OVERALL USE SUPPORT SUMMARY

	DEGREE OF BEST USE SUPPORT					
Water body Type	Fully Supporting	Fully Supporting, but Threatened[1]	Partially Supporting/Stressed[1]	Partially Supporting/Impaired[1]	Not Supporting/Precluded[1]	Total Assessed
Rivers and Streams Size units: Miles	48,844	1,292	2,229	960	304	52,337
Lakes and Reservoirs Size units: Acres	370,457	34,527	108,979	292,335	19,011	790,782
Bays and Estuaries Size units: Square Miles	799	2	12	457	262	1,530
Great Lakes Coastline Size units: Shore Miles	84	0.00000	70	423	0.00000	577
Ocean Coastline Size units: Shore Miles	117	0.00000	0.00000	0.00000	3	120

[1] **Refer to Table 1 for descriptions of degree of designated use support.**

TABLE 3.1

INDIVIDUAL USE SUPPORT SUMMARY

Type of Water body: Rivers, Streams
Size Unit: Miles

Use	Supporting	Supporting, but Threatened	Partially Supporting	Not Supporting	Not Attainable	Unassessed
Fish Consumption	52,014	0.0000	279	44	---	---
Shell fishing	NA	NA	NA	NA	NA	NA
Aquatic Life Support	45,701	2,250	4,140	246	---	---
Swimming	51,686	251	374	26	---	---
Secondary Contact*	50,716	512	1,016	93	---	---
Drinking Water Supply**	4,308	135	297	0.00	---	---
Agriculture***	52,014	0.0000	279	44	---	---
Aesthetics	50,556	588	1,172	21	---	---

*** For the purpose of this assessment, includes boating and recreational fishing.**
**** The total mileage of rivers and streams classified for use as a potable water supply is approximately 4,605 miles.**
***** For the purpose of this assessment, it is assumed that waters which do not fully support fish consumption also do not support agricultural use.**

TABLE 3.2

INDIVIDUAL USE SUPPORT SUMMARY

Type of Water body: Lakes, Reservoirs
Size Unit: Acres

Use	Supporting	Supporting, but Threatened	Partially Supporting	Not Supporting	Not Attainable	Unassessed
Fish Consumption	647,130	0.0000	140,706	2,946	0.00	0.00
Shell fishing	NA	NA	NA	NA	NA	NA
Aquatic Life Support	582,173	137,715	191,292	17,317	0.00	0.00
Swimming	612,299	37,530	173,698	4,785	0.00	0.00
Secondary Contact*	610,455	48,440	178,143	2,184	0.00	0.00
Drinking Water Supply**	333,194	62,223	84,793	0.00	0.00	0.00
Agriculture***	647,130	0.0000	140,706	2,946	0.00	0.00
Aesthetics	593,077	31,081	191,305	6,400	0.00	0.00

*** For the purpose of this assessment, includes boating and recreational fishing.**
**** Based on an estimate of 417,987 total acres of lakes and reservoirs classified for use as potable water supply.**
***** For the purpose of this assessment, it is assumed that waters which do not fully support fish consumption also do not support agricultural use.**

TABLE 3.3

INDIVIDUAL USE SUPPORT SUMMARY

Type of Water body: Bays, Estuaries
Size Unit: Square Miles

Use	Supporting	Supporting, but Threatened	Partially Supporting	Not Supporting	Not Attainable	Unassessed
Fish Consumption	1,347	0.000000	167	16	0.00	0.00
Shell fishing	1,329	2	5	196	0.00	0.00
Aquatic Life Support	1,514	‹1	15	1	0.00	0.00
Swimming	1,429	10	28	73	0.00	0.00
Secondary Contact	1,514	1	15	‹1	0.00	0.00
Drinking Water Supply	NA	NA	NA	NA	NA	NA
Agriculture	NA	NA	NA	NA	NA	NA
Aesthetics	1,518	1	11	0.000	0.00	0.00

TABLE 3.4

INDIVIDUAL USE SUPPORT SUMMARY

Type of Water body: Great Lakes
Size Unit: Shore Miles

Use	Supporting	Supporting, but Threatened	Partially Supporting	Not Supporting	Not Attainable	Unassessed
Fish Consumption	85	---	492	0.000	0.00	0.00
Shell fishing	NA	NA	NA	NA	NA	NA
Aquatic Life Support	557	---	20	0.000	0.00	0.00
Swimming	464	---	113	0.000	0.00	0.00
Secondary Contact*	454	---	123	0.000	0.00	0.00
Drinking Water Supply	576	---	1	0.000	0.00	0.00
Agriculture**	85	---	492	0.000	0.00	0.00
Aesthetics	505	0.000000	72	0.000	0.00	0.00

*** For the purpose of this assessment, includes boating and recreational fishing.**

**** For the purpose of this assessment, it is assumed that waters which do not fully support fish consumption also do not support agricultural use.**

TABLE 3.5

INDIVIDUAL USE SUPPORT SUMMARY

Type of Water body: Ocean Coastal
Size Unit: Shore Miles

Use	Supporting	Supporting, but Threatened	Partially Supporting	Not Supporting	Not Attainable	Unassessed
Fish Consumption	120	0.000000	0.00	0.000	0.00	0.00
Shell fishing	117	0.000000	0.00	3	0.00	0.00
Aquatic Life Support	120	0.000000	0.00	0.000	0.00	0.00
Swimming	120	0.000000	0.00	0.000	0.00	0.00
Secondary Contact	120	0.000000	0.00	0.000	0.00	0.00
Drinking Water Supply	NA	NA	NA	NA	NA	NA
Agriculture	NA	NA	NA	NA	NA	NA

Sources of Water Quality Impairment

Sources of water quality impairment are divided into two major categories:

Point Sources

> Municipal, industrial, and private sewage or discharges either treated or untreated. Also includes combined sewer overflows (CSOs) which by design discharge a mixture of municipal sewage and storm water runoff during significant storm events.

Nonpoint Sources

> Essentially all other sources of pollutants which are not discharged through either a treatment plant effluent, outfall pipe or sewage collection system. This category includes urban/storm runoff from streets, highways, and parking areas, agricultural runoff, runoff from construction sites, leachate from landfills and hazardous waste disposal sites, chemical and petroleum spills, contaminated sediments, streambank/roadbank erosion, and ground water contaminated by on-site septic systems. Although storm sewers are now considered "point sources" with respect to regulation by discharge permit, they will be included in this report with nonpoint sources since the reduction of pollutants from them will rely on nonpoint source control technology i.e., best management practices.

A "primary source" is the source identified as the major contributor to the primary use impairment for a segment. A "secondary source" is any other source linked to that segment. Since there can be several secondary sources for each water body segment, the total size of waters affected by secondary sources can be greater than the total size of waters in the Priority Water Problem (PWP) system for each water body type.

Table 4 is a statistical summary based on total PWP segment size in each source category. This analysis shows that nonpoint sources as a group are the most frequently cited primary and secondary sources of water quality impairment for all water body types except the Atlantic Ocean. That is, collectively, they are felt to be responsible for more impairment than point sources.

In the point source category, municipal point sources contribute to more impairment than industrial or private sources.

In the nonpoint source category, contaminated sediments, agriculture, construction, urban/storm runoff, on-site disposal systems, hydrologic/habitat modifications, and streambank/roadbank erosion are major contributors.

Agriculture is identified as a significant primary and secondary source of pollutants to

both rivers/streams and lakes/reservoirs. Contaminated sediments and urban runoff are significant primary and secondary sources for bays/estuaries.

"Other" nonpoint sources are identified as significant secondary sources of pollutants for lakes/reservoirs and bays/estuaries. Boat pollution, waterfowl, and nutrient-rich sediments are frequently cited in this category.

In the nonpoint source category for lakes, unknown sources are identified as the most dominant primary sources. The total acreage with unknown sources represents four lakes and one reservoir, including Lake Champlain which accounts for the majority (96,640 acres) of the total. The second most dominant identified primary nonpoint source is agriculture which is cited as the source of silt and nutrients responsible for lake eutrophication.

The data for bays and estuaries shows a somewhat different relationship, primarily because of the proximity of these waters to the New York City-Long Island region. The majority of the bays and estuaries which have impairments are because of shell fishing restrictions or fish consumption advisories. Also, due to the proximity to New York City and Long Island, the sources affecting these waters tend to be unique. Here we see CSOs as the most significant primary point source and municipal sources as the most significant secondary point source.

In the nonpoint source category, the most significant primary sources are urban runoff and contaminated/toxic sediments. No other primary sources are even close in magnitude. In the secondary nonpoint source category, other sources such as boats and waterfowl are significant.

NEW YORK WATER QUALITY 1994
TABLE 4 - Sources Causing Impairment vs. Total Size
1st column of each segment = Total size of waters vs primary source causing impairment.
2nd column of each segment = Total size of waters vs secondary source causing impairment.

Source	Rivers (miles)	Rivers (miles)	Lakes Reservoirs (acres)	Lakes Reservoirs (acres)	Bays Estuaries (acres)	Bays Estuaries (acres)	Ocean (shore miles)	Ocean (shore miles)	Great Lakes (shore miles)	Great Lakes (shore miles)
Industrial	70.7	323.1	43,163	11,435	519	13,355	0.00	0.00000000	0.00	21.0
Municipal	174.4	518.6	16,647	84,870	37,148	123,957	0.00	3	1	28.5
Private	19.0	216.1	71	10,752	0.00	4,613	0.00	0.00000000	0.00	0.00000
CSO	50.5	462.7	19	25,058	68,845	45,745	3	0.00000000	21	27.8
Total Point Sources	**314.6**	**1,520.5**	**59,900**	**132,115**	**106,512**	**187,670**	**3**	**3**	**22**	**77.3**
Storm Sewers	10.5	252.2	914	13,728	10,888	2,893	0.00	0.00000000	1	33.8
Acid Rain	80.5	137.5	17,889	13,934	0.00	0.0	0.00	0.00000000	0.00	7.8
Cont/Toxic Sediment	345.0	277.6	32,911	51,209	74,742	64,968	0.00	0.00000000	373.9	64.8
Agriculture	1,394.1	1,330.1	90,375	253,662	0.00	10,638	0.00	0.00000000	7.5	54.8
Silviculture	60.5	422.8	20	34,635	0.00	0.0	0.00	0.00000000	0.00	0.00000
Construction	147.5	806.1	1,764	135,265	40	350	0.00	0.00000000	6	42.5
Urban Runoff	283.3	1,125.3	20,017.2	101,345	76,924	43,650	0.00	0.00000000	14	34.8
Resource Extraction	81.3	520.9	0.00	25,275	0.00	0.0	0.00	0.00000000	0.00	0.00000
Land Disposal	86.2	858.6	186	91,749	209	14,812	0.00	0.00000000	0.00	373.9
On-site Systems	281.3	1,326.4	55,846	174,826	1,632	32,131	0.00	0.00000000	68.6	27.5
Hydrologic/Habitat Modifications	439.5	656.7	43,112	16,363	0.00	1,085	0.00	0.000000000000	0.00	11
Streambank Erosion	740.9	1,627.2	5,517	113,901	0.00	40	0.00	0.00000000	0.00	59.3
Roadbank Erosion	10.0	1,095.1	45	141,834	0.00	0.0	0.00	0.00000000	0.00	6.8
Chem. Leaks/Spills	21.0	145.5	50	2,549	0.00	0.0	0.00	0.00000000	0.00	44
Deicing (stor/app)	270.9	442	697	33,746	75	0.0	0.00	0.00000000	0.00	12.8
Unknown Source	124.6	21.1	112,003	11,253	0.00	0.0	0.00	0.00000000	0.00	0.00000
Other Source	96.5	338.2	14,630	111,848	894	120,303	0.00	0.00000000	0.00	32.8
Total Nonpoint Sources	**4,473.6**	**11,383.3**	**395,976.2**	**1,327,122**	**165,404**	**290,870**	**0.00**	**0.000000000000**	**471**	**806.6**

Pollutants Causing Water Quality Impairment - (Tables 5.1 and 5.2)

A "primary pollutant" is the pollutant which is associated with the primary use impairment for a water body segment. A "secondary pollutant" is any other pollutant identified with a segment. It may be the only pollutant associated with a secondary impairment, or it may be another pollutant associated with the prime impairment. Since there can be several secondary pollutants for each identified PWP segment, the total size of waters affected by secondary pollutants can exceed the total size of waters identified in PWP for any given water body type.

Collectively, non-toxic pollutants account for more water quality impairment than toxics for all water body types except the Great Lakes. This is generally because nonpoint sources contributing non-toxic pollutants are the major cause of impairment in the other water body types. The Great Lakes are an exception because toxic pollutants from contaminated sediments are the dominant cause.

In the toxic pollutant category, the most significant primary group of pollutants are the priority organics which include PCB, chlorinated pesticides, and chlorinated organic compounds. This is because it is the group of pollutants which are responsible for most of the fish consumption advisories in New York State. The remaining advisories are due to mercury contamination.

In the non-toxic pollutant category, nutrients are the primary pollutants for lakes/reservoirs, and silt (sediment) for rivers. These pollutants are associated with nonpoint sources which are the primary source of impairment for these two water body types. Pathogen indicators are the primary pollutant for bays/estuaries with priority organics as second. These correspond with the two most prevalent impaired uses of bays/estuaries which are shellfish bed closures and fish consumption advisories, respectively.

NEW YORK STATE WATER QUALITY 1994
TABLE 5.1
Total Size of Waters vs. Primary Pollutants[1] Causing Impairment[2]

Primary Pollutant	Rivers (miles)	Lakes/Reservoirs (acres)	Bays/Estuaries (acres)	Ocean (shore miles)	Great Lakes (shore miles)
Unknown Toxic	85.6	0.0000	0.00000	0.000	0.000
Pesticides	36.1	25,657	0.00000	0.000	0.000
Priority Organics	509.3	102,125.2	74,742	0.000	373.9
Nonpriority Organics	3.5	0.0000	0.00000	0.000	0.000
Metals	33.2	16,645	0.00000	0.000	0.000
Ammonia	1.0	250	0.00000	0.000	0.000
Chlorine	7.5	525	0.00000	0.000	0.000
Other Inorganics	2	0.0000	0.00000	0.000	0.000
Total Toxics	**678.2**	**145,202.2**	**74,742**	**0.000**	**373.9**
Nutrients	578.9	167,436	0.00000	0.000	90.1
Acid/Base	80.5	16,462	0.00000	0.000	0.000
Silt (Sediment)	2,354.8	12,506	90	0.000	6
Oxygen Demanding Substances	131.3	5,275	9,364	0.000	0.000
Salts	26.6	43,268	25	0.000	0.000
Thermal Changes	348.8	0.0000	0.00000	0.000	0.000
Water Level/Flow	167.2	40,056	0.00000	0.000	0.000
Pathogen Indicators	229.9	23,825	177,731	3	23
Aesthetics	145.1	822	9,964	0.000	0.000
Oil and Grease	14.4	0.0000	0.00000	0.000	0.000
Other	28.5	0.0000	0.00000	0.000	0.000
Total Non-Toxics	**4,106**	**309,650**	**197,174**	**0.000**	**113.1**
TOTALS	**4,784.2**	**454,852.2**	**271,916**	**3**	**493**

[1] Refer to definition in accompanying narrative of "primary pollutant".

[2] "Impairment" refers here generically to any degree of water quality problem.

TABLE 5.2

Total Size of Waters vs. Secondary Pollutants[1] Causing Impairment

Secondary Pollutants	Rivers (miles)	Lakes/Reservoirs (acres)	Bays/Estuaries (acres)	Ocean (shore miles)	Great Lakes (shore miles)
Unknown Toxic	277	394	2,444	0	21
Pesticides	1,003.1	177,466	350	0	23
Priority Organics	221.8	19,770	44,603	0	41.8
Nonpriority Organics	109.9	2,944	0.0000	0	0.000
Metals	273.7	102,399	21,198	0	0.000
Ammonia	168.7	2,944	0.0000	0	0.000
Chlorine	76.9	4	0.0000	0	0.000
Other Inorganics	85.9	400	0.0000	0	0.000
Total Toxics	**2,217**	**306,321**	**68,595**	**0**	**85.8**
Nutrients	2,383	139,408	65,703	0	28
Acid/Base	60.6	7,310	350	0	0.000
Silt (Sediment)	1,304.9	204,905	17,040	0	78.3
Oxygen Demanding Substances	1,022.5	108,205	60,716	0	71.3
Salts	528	28,325	0.0000	0	12.8
Thermal Changes	1,197.6	343	2,300	0	0.000
Water Level/Flow	569.2	18,486	1,045	0	0.000
Pathogen Indicators	1,266.1	182,766	80,740	0	35.8
Aesthetics	810.6	80,096	19,804	0	51.8
Oil and Grease	195.5	640	13,045	0	0.000
Other	0.6	100	15,520	0	0.000
Total Non-Toxics	**9,338.6**	**770,584**	**276,263**	**0**	**278**
TOTALS	**11,555.6**	**1,076,905**	**344,858**	**0**	**363.8**

[1] Refer to definition in accompanying narrative of "secondary pollutant".

[2] "Impairment" refers here generically to any degree of water quality problem.

TABLE 6

Summary of Actual or Suspected Pollution/Toxicant-Caused Fish Kills Reported in NYS, 1992

Region	Water body	County	No. Fish Est. Killed	Pollutants	Source
3	P352	Dutchess	200	Papermill waste	Business/Industrial
	Fishkill Creek	Dutchess	12	Sewage	Municipal
	Catlin Creek	Orange	100s	Cow manure	Agriculture
	Trib. of Lake Deforest	Rockland	Dozens	Chlorine suspected	Business/Industrial
	Kensico Reservoir	Westchester	1,000s	Chlorine suspected	Municipal
4	Salt Kill (H239)	Albany	172	Unknown	Business/Industrial
	Cayadutta Creek	Montgomery	Several hundred	Industrial waste suspected	Industrial
	Moordner Kill	Rensselaer	30	Chlorine suspected	Unknown
6	Kelsey Creek	Jefferson	1,000	Sewage	Municipal
7	Onondaga Lake	Onondaga	560	Ammonia	Business/Industrial
	Dutch Hollow Brook	Onondaga	752	Ammonia suspected	Business
	Harbor Brook	Onondaga	12	Sewage/ammonia suspected	Municipal
8	Larkin Creek	Monroe	Few	Driveway sealer	Business/Industrial
	Babcock Hollow	Steuben	300	Cow manure suspected	Agriculture
	Campground Pond (private pond)	Steuben	200	Possible pesticide	Agriculture
9	Little Buffalo Creek	Erie	500	Ammonium nitrate solution	Transportation
	Scajaquada Creek	Erie	30	Truck washing wastewater suspected	Business/Industrial

TABLE 7

Nine Year (1984-1992) Summary of Actual or Suspected Pollution-Caused Fish Kills

Reported in NYS According to Source

Source	Number	Percent
Business/Industry[a]	60	25
Municipal[b]	49	21
Unknown	45	19
Agriculture[c]	37	16
Aquatic Pest Control[d]	15	6
Transportation	14	6
Household	6	3
Fire related	6	3
Construction	3	1
Landfill	2	‹1
TOTALS	**237**	**100**

[a]Includes schools and State facilities.
[b]Includes STPs, storm sewers, water treatment, swimming pools, etc.
[c]Includes fertilizers and pesticides.
[d]Includes weed and fish control.

TABLE 8

Nine Year Summary of Fish Kill Notifications Reported, Actual or Suspected Pollution/Toxicant Caused Fish Kills Reported, and Estimated Number of Fish Killed by Pollution in NYS

	1984	1985	1986	1987	1988	1989	1990	1991	1992
Total No. of Noticications Reported	75	124	76	96	95	92	67	91	82
No. of Pollution Caused Fish Kills Reported	30	43	24	25	33	22	20	23	17
Estimated No. of Fish Killed By Pollution (in thousands)	550[e]	100	25	120	45	10+	112	10	7

[e]Three kills accounted for an estimated 450,000 fish.

Appendix 3

THE FOLLOWING DRAFT, PREPARED BY EPA, IS CURRENTLY UNDER REVIEW BY DEC BEFORE FINAL

Sharing Staff

Memorandum of Agreement

USEPA - Region 2 / New York State Department of Environmental Conservation

Sharing Staff
Memorandum of Agreement
USEPA - Region 2 / New York State Department of Environmental Protection

1. Introduction

The EPA Region 2 (EPA) and the New York State Department of Environmental Conservation (NYSDEC) water programs have agreed to work in partnership to protect public health and the environment throughout New York State. In order to do this:

- **We will ensure the continued efficient and effective implementation of base programs state-wide; and**

- **We will do more, as necessary, to solve the particular problems in particular places, that have not, or cannot be satisfactorily addressed through the implementation of base programs alone.**

Our preferred approach to doing more, as necessary, to solve the particular problems in particular places is "Community-Based Environmental Protection", and we devote a significant, and increasing share of staff, contract and grant resources to it.

2. Coordination of Community-Based Environmental Protection Efforts in NYS

EPA and the State work together actively, as partners on CBEP projects for which there is a compelling reason for active federal involvement (e.g., interstate or international boundary waters, major direct federal regulatory involvement, federal legislative mandate); these are referred to as joint-lead projects. NYSDEC plays the lead role on many other CBEP projects in the State; EPA's role in these state-lead projects is generally limited to technical and financial assistance, as requested by NYSDEC.

In order to continue active EPA and NYSDEC involvement, as appropriate, in the growing number of CBEP projects in New York State, we need to seek economies in the use of limited staff resources. EPA and NYSDEC, therefore, agree that, whenever feasible, we will use a single CBEP project manager to coordinate federal and state involvement for joint-lead CBEP projects in New York State that meet one of the following tests:

- **A shared vision exists in the form of an agreed upon comprehensive plan; or**

- **A shared vision is currently being developed through a mutually agreed upon planning process, and no significant disagreements between EPA and NYSDEC have been identified that would inhibit the development of an agreed upon comprehensive plan.**

In SFY '97/'98 NYSDEC and EPA will pursue staff sharing for two joint-lead CBEP projects:

- **DEC will designate a single project manager for the Lake Champlain CBEP project;**

- **Concurrently, EPA will designate a single staff person to assist NYSDEC in meeting its programmatic requirements in development of the Lake Ontario Lakewide Management Plan.**

3. <u>Staff Sharing Activities</u>

EPA Programmatic Support for Lake Ontario will include the following:

- **Provide technical assistance to the NYSDEC in the development of the Lake Ontario Lakewide Management Plan (LO LaMP). Visit NYSDEC offices once per week in order to effectively perform duties as described below.**

- **Represent NYSDEC at meetings of the LO LaMP workgroup and make oral and/or written technical presentations at other meetings concerning the LO LaMP. Respond to inquiries and requests from those participating in public meetings, workshops, and conferences on technical issues related to the LO LaMP.**

- **Develop written assessment of whether the LO LaMP should address mercury and heptachlor.**

- **Serve as lead on LO LaMP technical subcommittee and perform the following tasks: 1) re-evaluate the critical pollutant list based on new information; 2) review lists of other pollutant reduction strategies to determine if any should be included in the LO LaMP strategy and 3) explore the concept of developing indicator chemicals which could be used to track success of remedial activities.**

- **Develop additional reduction measures: 1) identify additional contaminant sources; 2) identify activities to address these sources and 3) estimate reductions, if possible, that are expected to be achieved.**

- **Conduct trackdown of chemical contaminants in Lake Ontario. Develop work plan by 9/30/97 and final report by Fall 1998.**

NYSDEC Lake Champlain CBEP Project Manager Responsibilities:

- **Act as primary staff person involved with the implementation of the NY portion of the Lake Champlain Management Plan.**

- **Act as liaison between EPA Region 2 and the NYSDEC on the Lake Champlain Steering Committee. Provide monthly briefings to EPA management on the status of the Lake Champlain Management Plan. Visit the EPA regional office at least once every two months to meet with EPA management in preparation for Lake Champlain Management Conference Meetings.**

- **Ensure that the Performance Partnership Agreement (PPA) between NY and EPA Region 2 is updated as necessary and ensure that the tasks identified in the PPA are completed in a timely manner. Identify issues that will impact successful completion of tasks.**

- **Participate in the Technical Advisory Committee. Keep EPA management abreast of**

research activities.

- **Immediately advise EPA management of budget issues that arise and require EPA resolution.**

NYSDEC will provide support for the following additional CBEP initiatives:

- **Reserved**

4. <u>Conclusion</u>

Under this MOA, the salaries and expenses of EPA employees will remain the sole responsibility of EPA. The salaries and expenses of NYSDEC employees will remain the sole responsibility of NYSDEC.

This MOA may be amended from time-to-time at the request of either party. It may also be terminated at any time, by either party upon notification of the other party.

For the New York State Department of Environmental Conservation	**For the U.S. Environmental Protection Agency-Region 2**
N.G. Kaul **Director** **Division of Water**	**Kathleen C. Callahan** **Director** **Division of Environmental Planning and Protection**

INDICATORS AND MEASURES OF PROGRESS FOR THE SFY 96/97 PPA FOR THE PERIOD APRIL 1, 1996 - SEPTEMBER 30, 1996

Most of the indicators and some of the measures are reported through various submissions such as the 305b report and the on-going collection of PCS data. The following is a brief summary of our progress in these areas as well as other Strategic Plan progress. The data reported is from NYSDEC unless otherwise noted.

OFFICE OF WATER NATIONAL INDICATORS

1. Percent of water systems (and population served) providing drinking water that meets all drinking water standards throughout the year, reported separately for pathogens and chemicals.

   The percent of the systems providing drinking water meeting all drinking water standards throughout the year was 88%, with an impacted population of approximately 15,840,000. (DOH)

2. Percent of public water systems that are covered by a fully implemented source water (ground or surface water) protection program.

   This information is unavailable, since it is not currently collected from local water suppliers. (DOH)

3. Percent of unfiltered water systems (and population served) required to install filtration under the Surface Water Treatment Rule that met all requirements at the end of the year.

   The percent of unfiltered water systems required to filter under the SWTR that met all requirements at the end of the year was 52% with an impacted population of 7,677,581. The remainder of community water systems are continuing in their compliance efforts in accordance with established timetables of compliance. (DOH)

4. Percent of waters that meet designated uses for aquatic life and for recreation; identification of impaired/threatened waters and the causes/source of impairment.

   The 305b report was submitted and is incorporated into this 97/98 PPA.

5. Number and percent of permits that are issued and current reports by municipal majors, industrial majors, municipal minors and industrial minors, as well as CSO and storm water permits. Maintain SPDES information system.

   The PCS system is fully maintained and permits are up-to-date.

6. Quarterly report State Revolving Fund and Construction cumulative outlays. Semi-annually report cumulative construction grant administrative completions and closeouts.

   For FFY 96, the Clean Water SRF cumulative outlay progress was as follows: Q1 - $77.5

million, Q2 - $177.2 million, Q3 - $208.7 million, Q4 - $250.4 million. The final cumulative total exceeded the target amount ($244.5 million) by 2 percent.

7. Annually report the number of watershed placed based projects.

   This is incorporated into the various sections of this 97/98 PPA.

8. Progress in developing a Section 401 water quality certification program that addresses compliance of federal 404 permits with State water quality standards.

   The NYSDEC wetland/401 grant is an FY95 grant which got off to a late start (summer 1996). The budget period extends to 9/30/97; NYSDEC will likely need to request a no-cost extension of 6 to 12 months. NYSDEC continues to conduct research/discussion/development activities related to the grant.

9. Progress in achieving comprehensive watershed programs.

   This is also incorporated into the various sections of this 97/98 PPA.

10. Upgrade specific nonpoint source State program elements most in need of improvement.

    This is also included in the various sections of this SFY 97/98 PPA.

TEN OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE CORE PERFORMANCE MEASURES.

1. Compliance rates by industry sectors and by media.

2. Significant noncompliance rates by industry sector and by media.

3. Number of inspections conducted by State (equivalent to 80% of majors universe).

   The above three measures are obtainable from PCS data. PCS WENDB data continues to be maintained by DEC in an excellent manor. INSAMS inspection info is in PCS.

4. Number of administrative enforcement actions, number of civil judicial, and number of criminal action (a) initiated by each media, and (b) concluded for each media.

5. Describe up to ten State enforcement settlements in which innovative Supplemental Environmental Projects (SEPs) or injunctive relief are utilized.

6. Average time (for each media) needed by State either to return significant violator to compliance or to issue appropriate enforceable compliance plan starting from identification of violation (equivalent to timely and appropriate timeframe).

   The above three measures need a mechanism established to obtain information from DEE. DOW will provide to EPA BWCP by 9/30/97.

7. Percent of significant violators in each media that have new or recurrent significant

violations within two years of receiving of formal enforcement action.

The above is obtainable from PCS data. PCS WENDB data continues to be maintained by DEC in an excellent manor. INSAMS inspection info is in PCS.

8. Reduction in pollutant emissions, discharge loadings, and improperly managed substances achieved by State through enforcement settlements including SEPs and injunctive relief.

   This measure needs EPA PCS programming changes.

9. Describe State's compliance assistance program including: the types of assistance provided; the number, and percent of facilities in industry sectors, assisted through each type: and an evaluation of effectiveness using available data.

   This measure will be satisfied by annual 104(g) report to EPA.

10. Percent of facilities seeking assistance under the Interim Policy on Compliance Incentives for Small Business, which complied within the requisite correction period (180 days or 360 days with pollution prevention).

    This information is not available. Current status of State Voluntary Compliance Incentive (VCI) programs is unclear.

STATE-WIDE PROGRAMMATIC INDICATORS

1. Underground injection control

   - Expand classified well notification system to other regions.

     All nine regional offices are now notifying EPA of Underground injection wells found during routine investigations.

2. Groundwater management

   - Finalize CSGWPP core program

     DEC submitted its revised CSGWPP Report to EPA in August 1995. Following the receipt of formal responses to EPA comments on NYS's CSGWPP Core Program submittal, EPA informally submitted several additional comments. These comments have been addressed in discussions between EPA and DEC staff and the formal endorsement process will be initiated by 8/97. DEC has continued to coordinate the state's environmental quality programs based upon the principles outlined in the CSGWPP. Notable examples include: (1) Division of Water review and contribution to the final Strategy for Groundwater Remediation Decision Making at Inactive Hazardous Waste Sites and Petroleum Contaminated Sites in New York State; (2) Division of Water contribution to the Steering Committee for Water Quality Monitoring for Pesticides; (3) coordination with the Division of Solid and Hazardous Materials on DSHM undertaking aquifer determination for its permits; (4) coordination with NYSDOH on development of Source Water Assessment Program; and (5) participation in the revision and implementation of the Nonpoint Source Management Program, including local 604(b) projects.

- Work with local authorities to have them initiate one or more WHP projects at the local level (DEC)

  DEC has provided for initiation of WHP projects through implementing conditions on new Water Supply Permits requiring development of such plans and/or the conduct of appropriate pump tests to provide the data necessary for delineations. Examples include the Jamaica Water Supply (the second largest groundwater system in the state) and Frankfort (Herkimer County).

  DEC also convened the Wellhead Protection Coordinating Committee in May 1996 (meeting quarterly), which includes concerned state and local agencies, to support outreach and guidance.

  Two components of WHP Guidance were developed: (1) Wellhead Protection: Tips for Communities in NY, and (2) Wellhead Protection: Technical Considerations for Delineation of Wellhead Protection Areas. These were reviewed in draft form by the DEC Regional Groundwater Coordinators (March 1996) and the New York Wellhead Protection Coordinating Committee (May 1996). The final versions were distributed at two Wellhead Protection Workshops (New Paltz and Liberty) for water suppliers in southern NY in October 1996. They were also distributed to County Water Quality Coordinating Committees at a Wellhead Protection session in Syracuse (July 1996).

  The Regional Groundwater Coordinators reviewed the draft guidance documents cited above. Region 3 participated in the WHP Workshops (October 1996); Regions 6 and 7 participated in the Wellhead Protection Coordinating Committee (May, August, November 1996). Staff continue to work with Regional Offices (notably Regions 6 and 8) on site-specific WHP projects (e.g., Dansville, Frankfort). Staff participates with DEC Region 2 on implementing WHP conditions for the Jamaica Water Supply.

3. Surface water quality management

- Submit 1996 305(b) report to EPA (7/96)

  This report was submitted and is incorporated in Sections I and Appendix 2 of this PPA.

- WQS revisions submitted to EPA (3/97)

  This item has been combined with the GLWQI in the new PPA. The revisions of water quality regulations will meet both the triennial and GLWQI requirements by October, 1997. Most of the fact sheets for various compounds have been corrected, edited and amended.

- Complete reclassification process

  Progress continues on completing the reclassification process. A public hearing was held for Cayadutta Creek. Final Express Terms have been completed for the Lake

Champlain, St. Lawrence and Lower Hudson (Region 3) drainage basin. Hearing will be held in the late fall and winter of 1997.

- NYSDEC adoption of GLWQI requirements (3/97)

  See note above under WQA revisions.

- 1996 303(d) list has been submitted and approved by EPA.

- Submission of high-priority TMDLs from 303(d) list to EPA for review and approval. (ongoing)

  Phase I TMDL submitted for NYC water supply reservoir. Work has begun on preparation of TMDL for Onondaga Lake and LIS.

- Submittal of all non-303(d) TMDLs to EPA for review and approval (ongoing)

  No deliverables until agreement (which has not been reached) pending court case resolution.

- Complete Final Reports for all Clean Lakes Projects whose funding has expired (3/97).

  Collins Lake is still anticipated by 9/97; Greenwood Lake may be delayed.

4. National pollutant discharge elimination system

- SPDES Permit Development

  As of October 28, 1996, there were 850 central office SPDES permits on the permit priority list. The top ten percent (85) equals a prior score of 92. There are currently 48 active permits in the top ten percent. Therefore, we are at 56% accomplishment of this objective.

- Combined Sewer Overflows

  There are currently thirteen BMPs recommended by our CSO Strategy (EPA policy requires nine measures). The range of coverage for individual BMPs is from 15% to 97%. The weighted average is 58%. This exceeds our commitment under the PPA.

- Pretreatment

  EPA approved 3 of the 34 pretreatment program modification requests pending as of 4/1/96. This falls short of the commitment to approve all pending modification requests by 3/31/97.

5. Wetlands - F&W

- DEC/EPA jointly sponsored a Niagara Frontier Local Government Workshop in October 1996.

6. Dredged material management

- Update Freshwater and Marine Sediment Guidelines:

  The freshwater portion of the dredge guidance has been updated. When the marine guidance is finalized, these two documents will be combined and renamed the Dredge Material Assessment and Management Guidance.

- Identification of disposal locations within the State of New York where dredging material is allowed to be disposed. All state standards and criteria shall be identified:

  A half dozen disposal locations that may accommodate dredge material have been identified. They have been included in a briefing document Navigational Dredge Material Management Background Brief.

7. Sediment management program

- Maintain the National Sediment Inventory in the Great Lakes portion of New York State:

  The Great Lakes portion of the National Sediment Inventory has been updated. The inventory for the other parts of NYS (esp. Hudson River/ NY Harbor) has received some attention since December, 1996.

- Field studies will be conducted to augment the National Sediment Inventory:

  The studies to augment the sediment inventory date base have been completed and the resultant date entered.

- Prepare sediment inventory report:

  The inventory report is nearing completion (expected 8/97).

8. State revolving fund

For FFY 96, the Clean Water SRF cumulative outlay progress was as follows: Q1 - $77.5 million, Q2 - $177.2 million, Q3 - $208.7 million, Q4 - $250.4 million. The final cumulative total exceeded the target amount ($244.5 million) by 2 percent.

9. Nonpoint source management

- Begin updating NPS Management Program

NY has begun the process of updating its NPS Management Program. Input from county water quality coordinating committees was sought at a statewide meeting in July. A two-day workshop of the NY NPS coordination committee was held in October to provide recommendations for updating the program. A presentation on the process being followed was made at the November meeting of the DEC Water Management Advisory Committee. Members of the committee were given an opportunity to provide input on the process, the key audiences and on the sources being included in the updated program. The schedule for the update is to have a draft plan available for review by late July, 1997 with the document finalized in December.

- Report progress on NPS program

Each year, DEC prepares a report on activities performed during the last year using Section 319 grant funds. Since many of the items funded are not completed within one year, the report is a compilation of activities that occurred during the year, not only the things funded in the most recent grant. Previous reports have included information on the status of activities performed by DEC staff, projects undertaken by partner agencies and implementation efforts funded through Section 319 grants. DEC has begun to compile material for this year's report.

- Refine/implement CZARA NPS control measures

DEC and DOS have continued the dialogue with EPA and NOAA regarding NY's Coastal NPS Program. The two federal agencies are publishing the draft findings and conditions in response to NY's July, 1995 program submittal. Both agencies continue to work towards the implementation of control measures. One specific example is that the agencies are participating in a group formed by the NYS Department of Agriculture and Markets and the NYS Soil and Water Conservation Committee to develop an agricultural environmental management program for NY. Another example is that DOS is proposing legislation that would help to implement parts of the coastal program.

10. Data Management

- 100% of required data elements are in PCS and approximately 5.5% of all SPDES parameters will be submitted electronically as part of EDI pilot.

PCS WENDB data elements fully satisfied by DEC. EDI effort still in pilot stages. Needs further legal review before full scale operation.

11. Public Participation

- The PPA process was introduced to the WMAC at the May, 1996, meeting, with both DOW and EPA staff present. The draft PPA for FY96/97 was distributed for the WMAC's review and comment. DOW staff prepared a Responsiveness Summary of the comments verbalized at the May meeting and written comments sent to us.

- The Final PPA for FY96/97 was distributed to the WMAC in early November, 1996, and discussed at the November 20 meeting. DOW staff prepared a summary of the comments verbalized at the meeting and written comments sent to us by the deadline date of December 31, 1996.

- A notice was placed in the January 15, 1997, issue of the *Environmental Notice Bulletin* to announce the availability of the PPA. Members of the public were invited to review the document and send the DOW their written comments. DOW staff will keep a list of people who send in comments so that these people can be included in future dialogue about the PPA.

- DOW staff investigated the possibility of placing the PPA on the Internet as a way of making the document available to a broader audience. A WMAC member volunteered to code the PPA for a World Wide Web link. However, since the EPA is planning to put the PPA on its Web site, the DOW will not need to duplicate this effort.

REGIONAL/LOCAL INDICATORS

1. Community-Based Environmental Protection Initiatives

- Reports on status of commitments in watershed and placed based projects are being prepared as part of placed based initiatives for LIS, Peconic, HEP, RAPs and Lake Champlain.

- The DOW has not yet developed a strategy for encouraging and supporting Community-Based Environmental Protection Initiatives to implement the PPA.

2. Great Lakes

- Draft of Lake Ontario Stage I LAMP is scheduled to go out for public comment in spring of 1997. Completion of final in summer dependent upon staff share agreement.

- Measurement of ambient water quality and sediment indicate reduced input of critical pollutants.

- Assured DEC review of draft impairment assessment. Active participation has been limited because of staff reassignments.

- Draft Eighteen Mile Creek of Rochester RAPs are out for public review. Messina and Oswego RAP biennial updates were completed.

3. Onondaga Lake Management Conference

- DEC and EPA participated in numerous negotiations and technical conferences with Onondaga County and Atlantic States Legal Foundation under the guidance of the Governor's Office. Much progress has been made in correcting the deficiencies in the draft Municipal Compliance Plan submitted by the County in 1996. The proposed plan currently under development will result in more water quality improvements with a shorter compliance schedule.

- Seventy-five million dollars have been legislatively committed from the Clean Water - Clean Air Bond Act for implementation for this project. Additional federal funds have been made available for implementation of some of the intermediate combined sewer overflow projects. The County has begun to implement the requirements of the 1996 modification to the SPDES permit with respect to toxics control, biomonitoring and optimization of the CSO system.

4. Long Island Sound Study

- Status reports have been provided every six months.
- Proposed Phase III Nitrogen Reduction Plan has been released for public review.
- Alternatives to Urea application at La Guardia Airport runways were investigated.

5. NYC Watershed

- NYC Watershed requirements for compliance and filtration avoidance continue to be implemented.

  MOA signed 1/97. DEC DOW is preparing to implement its role as identified in MOA.

6. Peconic Estuary

- Progress continues on implementation of Action Plan Commitments.
- Draft CCMP under preparation scheduled for 9/97.

7. HEP

- Progress continues in implementation of CCMP. Draft work plan on Harbor-wide and Arthur Kill Trackdown submitted to EPA.

  Completed R-EMAP studies in 6 specific areas

8. CSLAP

- The annual report on CSLAP was complete.
- Completion of Management Plans for those lakes in which there are 5 years of monitoring data has been delayed because of staff reassignments.

9. Finger Lakes

- Dialogue continues with local stakeholders and Regional Planning Boards to develop management plan for each of the Finger Lakes.

- Work has begun on development of "State of Lake" report on the Finger Lakes.

10. Lake Champlain Management Conference

- Work has begun on development of phosphorous reduction strategy.

- Management Plan has been completed and approved by the Governor. $15 million of Clean Water/Clean Air Bond Act funds are identified for implementation of Management Plan.

NATIONAL/STATE INDICATORS

In addition, the following were completed:

	Indicator	Report Mechanism
1.	Source protection for groundwater	Biennial Wellhead Protection Report
2.	Fish consumption advisories	305b Report
3.	Point source loadings to surface and groundwater	PCS
4.	Selected groundwater quality parameters	305b Report
5.	Nonpoint source impacts to surface and groundwater	305b and 303d Reports
6.	Shellfish bed closures	305b Report
7.	Selected surface water quality parameters	305b Report
8.	Biological integrity of the water	305b Report
9.	Contaminated sediments	Sediment Inventory Report

THE FOLLOWING PROGRESS WAS ALSO MADE IN ADDITION TO THOSE NYS COMMITTED TO DURING SFY 96/97 IN SECTION

- Final Public Notice and submittal of the 303(d) List
- EPA waived final 604b pass-through project reviews.
- EPA waived final 319 pass-through project reviews.
- The nitrogen limit for Riverhead was established.
- In the Great Lakes, 1987 DOI commitments have been brought to a successful conclusion.
- Sediment cores were collected for the Niagara River and Eighteen Mile Creek.
- In the LIS, nitrogen and geographic targets were completed.
- In the Peconic Estuary, the Brown-Tide research Strategy and the Initial Base Program Analysis Report were completed.
- Permit to prohibit PCB discharges in Staten Island storm water developed.
- Assessment of chemicals in aquatic life in NY Harbor completed.
- A NY Harbor technical program for data base management, for contaminant of concern identification and for eventual source trackdown has been developed. This conceptual document is now being reviewed for comment.
- Draft of TOGS for development of industrial and municipal SPDES permits will be completed by the end of fiscal year.
- Coordinated with the NYCDEP in their development of SWEM.
- Completed assessment of chemical in fish, shellfish, and crustacea.
- Developed SPDES permit prohibiting stormwater discharges of PCBs from identified facilities discharging to Mill Creek, Staten Island.